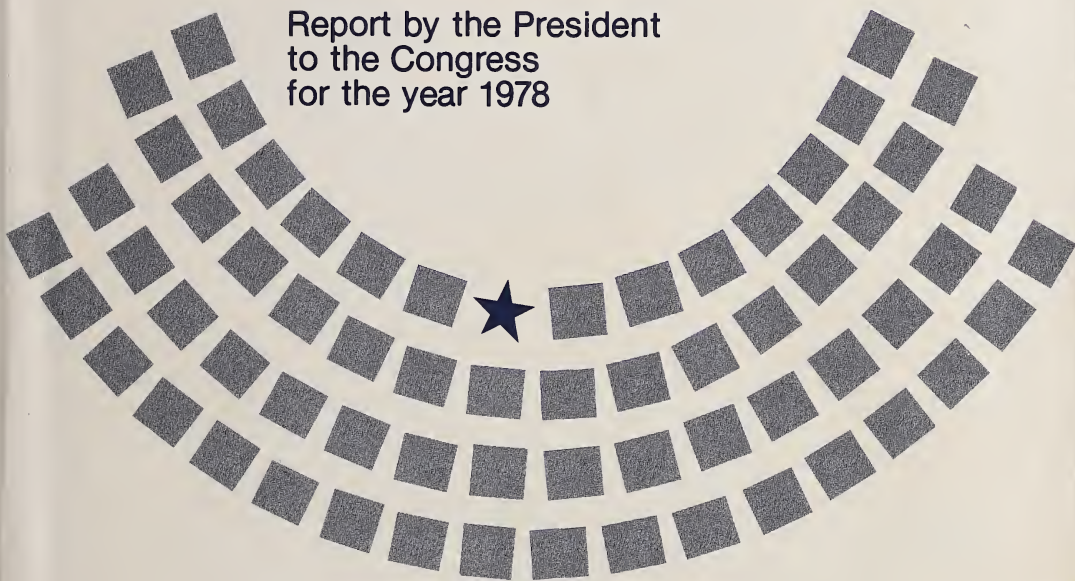


# United States Participation in the UN

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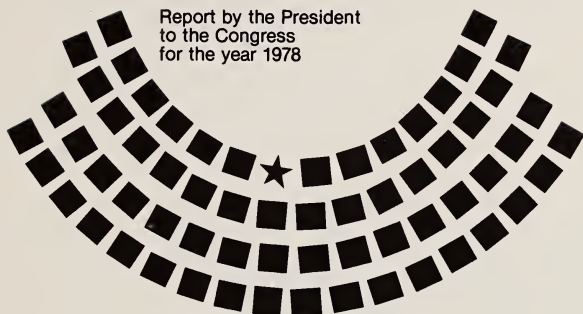
Report by the President  
to the Congress  
for the year 1978





# United States Participation in the UN

Report by the President  
to the Congress  
for the year 1978



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TO THE CONGRESS OF THE UNITED STATES:

I am pleased to transmit to the Congress this report of the activities of the United States Government in the United Nations and its affiliated agencies during calendar year 1978.

This 33rd annual report covers the second year of my Administration, and I believe it confirms our conviction that the United Nations is of vital and growing importance to the conduct of U.S. foreign relations.

The year 1978 revealed some of the strengths of the UN system. Among the actions taken during 1978 by the United Nations that best exemplify its strength were the rapid establishment of the United Nations Interim Force in Lebanon (UNIFIL) and the development of a UN plan to ensure the early independence of Namibia through free and fair elections. The UN plan for Namibia includes the authorized establishment of a United Nations Transition Assistance Group (UNTAG) to assist the Secretary General's Special Representative for Namibia. Formation of UNTAG still awaits final agreement on the implementation of a Namibia settlement.

The establishment of UNIFIL was particularly important for the development of the UN's peacekeeping operations. UNIFIL is a test of the UN's ability to gain the cooperation of the parties concerned because, unlike other peacekeeping operations, it operates without a precise agreement between opposing parties. In an area where there has been little or no exercise of legitimate civil authority, the Force is attempting to maintain peace within the territory of a sovereign country where there are indigenous, rebellious armed groups supported from outside. The technique of peacekeeping is among the most innovative activities of the United Nations, and one of the most successful.

The year 1978 also witnessed small but growing third world interest in UN human rights initiatives, and the Special Session on Disarmament, which set forth goals and priorities for disarmament negotiations. The United Nations also began to become involved in efforts to alleviate the human tragedy in Kampuchea.

The continuing difficulties of the United Nations in dealing with general economic issues were demonstrated by the year-long impasse over the mandate of the Committee of the Whole. In contrast, the decision to convene a Conference on New and Renewable Sources of Energy, which we strongly support, and the reconvening of the negotiating conference on the Common Fund for Commodities, which has since made substantial progress, are solid evidence of the UN's growing ability to deal effectively with specific international economic problems.

The United States remains deeply concerned about the budgetary growth in the UN system, and in 1978 voted against the UN budget for the first time because it failed to exercise the necessary financial restraint. We are continuing to monitor closely UN expenditures, programs, and personnel practices.

It is my hope that this report will contribute to knowledge of and support for the UN as an institution, and to continued active and constructive U.S. participation.

JIMMY CARTER

THE WHITE HOUSE,

July 3, 1980.

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ACRONYMS AND SHORT FORMS

AID	--U.S. Agency for International Development
ACABQ	--Advisory Committee on Administrative and Budgetary Questions
ACC	--Administrative Committee on Coordination
Committee of 24	--Special Committee on the Situation With Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples
CCD	--Conference of the Committee on Disarmament
CIEC	--Conference on International Economic Cooperation
CSCE	--Conference on Security and Cooperation in Europe
EC	--European Communities
ECA	--Economic Commission for Africa
ECE	--Economic Commission for Europe
ECLA	--Economic Commission for Latin America
ECOSOC	--Economic and Social Council
ECWA	--Economic Commission for Western Asia
ESCAP	--Economic and Social Commission for Asia and the Pacific
FAO	--Food and Agriculture Organization
GATT	--General Agreement on Tariffs and Trade
G-77	--The Group of 77
HEW	--U.S. Department of Health, Education, and Welfare
IAEA	--International Atomic Energy Agency
IBRD	--International Bank for Reconstruction and Development
ICAO	--International Civil Aviation Organization
IDA	--International Development Association
IFC	--International Finance Corporation
ILO	--International Labor Organization
IMCO	--Intergovernmental Maritime Consultative Organization
IMF	--International Monetary Fund
ITU	--International Telecommunication Union
NASA	--U.S. National Aeronautics and Space Administration
NATO	--North Atlantic Treaty Organization
OAS	--Organization of American States
OAU	--Organization of African Unity
OECD	--Organization for Economic Cooperation and Development
OPEC	--Organization of Petroleum Exporting Countries
PLO	--Palestine Liberation Organization
UNCITRAL	--UN Commission on International Trade Law
UNCTAD	--UN Conference on Trade and Development
UNDOF	--UN Disengagement Observer Force
UNDP	--UN Development Program
UNEF	--UN Emergency Force
UNEP	--UN Environment Program
UNESCO	--UN Educational, Scientific, and Cultural Organization
UNFICYP	--UN Force in Cyprus
UNHCR	--Office of the UN High Commissioner for Refugees

UNICEF	--UN Children's Fund
UNIDO	--UN Industrial Development Organization
UNIFIL	--UN Interim Force in Lebanon
UNITAR	--UN Institute for Training and Research
UNRWA	--UN Relief and Works Agency for Palestine Refugees in the Near East
UNSCEAR	--UN Scientific Committee on the Effects of Atomic Radiation
UPU	--Universal Postal Union
WFP	--World Food Program
WHO	--World Health Organization
WIPO	--World Intellectual Property Organization
WMO	--World Meteorological Organization



**PART I.**

**POLITICAL  
AND  
SECURITY  
AFFAIRS**

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Under the UN Charter both the Security Council and the General Assembly are given the authority to consider international problems relating to political and security matters. Both the Assembly and the Council have established subsidiary bodies to assist them in the performance of their responsibilities.

Primary responsibility for the maintenance of international peace and security rests with the Security Council composed of 15 members and so organized as to allow it to function continuously. A special role within the Council is assigned to the five permanent members--China, France, the U.S.S.R., United Kingdom and the United States--in that the negative vote (veto) of a permanent member prevents the Security Council from taking a decision on any substantive matter; procedural issues are not affected by the negative vote of a permanent member. The Charter specifically gives the Security Council the authority to take action in connection with the pacific settlement of disputes (Chapter VI) and with threats to the peace, breaches of the peace, and acts of aggression (Chapter VII). Action taken by the Council under Chapter VI is only recommendatory in nature, but under Chapter VII, the Council may take action that is binding upon all member nations. It is under Chapter VII that sanctions may be imposed against a state.

Among the more important bodies established by the Security Council to assist it in carrying out its responsibilities are the United Nations Interim Force in Lebanon (UNIFIL), which operates along the Lebanon-Israel border, the United Nations Force in Cyprus (UNFICYP), the United Nations Disengagement Observer Force (UNDOF), which operates between Israel and Syria, and the United Nations Emergency Force in the Sinai (UNEF). These peacekeeping forces were created and deployed with the consent of the governments concerned. The Security Council also authorized establishment during 1978 of a United Nations Transition Assistance Group (UNTAG) to assist the Secretary General's Special Representative to insure the early independence of Namibia through free and fair elections. Formation of the latter group awaits final agreement on implementation of a Namibia settlement.

Two other bodies established by the Security Council to assist it in its work are the Rhodesia Sanctions Committee and the Committee overseeing the mandatory arms embargo against South Africa.

The Security Council held 52 meetings in 1978, most of which were devoted to the Middle East and African issues.

The Council devoted three series of meetings to Namibia during which the Western settlement plan was approved and the establishment of UNTAG was authorized. In addition the Council condemned South Africa for proceeding unilaterally with its proposed internal Namibia elections, called upon the South African government to cancel them, and refused to recognize their results. On the situation in Southern Rhodesia, the Council declared illegal and unacceptable any internal settlement under the auspices of the Southern Rhodesian regime. In a second series of meetings on Rhodesia the Council

condemned the illegal regime for its armed invasion of Zambia. In yet a third series of meetings on Rhodesia the Council regretted the U.S. decision to grant Ian Smith a visa.

The Council held two sets of meetings on South Africa. During the first set the Council met to consider conditions in South Africa but concluded its discussion without adopting any resolution. The second set of meetings was held to consider an Angolan complaint against South Africa following attacks by South Africa from Namibia into Angola. As a result of its consideration the Council adopted a resolution condemning South Africa for its attacks.

In March of 1978 the Council met to consider the deteriorating situation in Lebanon and on March 19 established the UN Interim Force in Lebanon. Also during 1978 the mandates of UNDOF, UNIFIL, and UNEF were renewed.

Other issues considered by the Council during 1978 were the Chad-Libya dispute, the situation in Cyprus, and the renewal of UNFICYP. The Council recommended, and the General Assembly later approved UN membership for the Solomon Islands and Dominica, bringing the UN's total membership to 151 countries.

All UN members are represented in the General Assembly. The work of the Assembly takes place in plenary and in seven main committees. Disarmament and related issues are considered in the First Committee. Other political issues are considered in plenary and in the Special Political Committee. The Assembly has also established a number of subsidiary bodies which meet between Assembly sessions and report to it. These reports form the foundation for much of the Assembly's work.

During 1978 there were three special sessions of the Assembly; two of these sessions (the ninth and tenth special sessions) dealt with political and security issues. The ninth special session, April 24 to May 3, considered the situation in Namibia. It adopted a Declaration on Namibia and a Program of Action in Support of Self-Determination and National Independence for Namibia. The United States and other members of the Western Five (who sponsored the Namibia settlement plan in the Security Council) abstained on this document on the grounds that intimate Western involvement in the Namibia negotiation mandated a neutral position.

The tenth special session on disarmament, May 23 to June 30, adopted by consensus a Final Document which set forth goals and priorities for disarmament negotiations.

The 33rd regular session of the General Assembly convened on September 19. It did not close until May 31, 1979. (It was suspended on December 21, 1978, resumed on January 15 to complete consideration of its remaining items, was suspended on January 29, and resumed on May 23. The resumed session in May completed consideration of the Namibia question.)

The General Assembly spent a large part of its session on southern African issues including Namibia, Rhodesia and Apartheid. It adopted 15 resolutions relating to apartheid; most of these resolutions were similar to those adopted at previous General

Assemblies.

Another major area of discussion was disarmament. There were approximately 18 disarmament items on the agenda including an item on the review of the implementation of the recommendations and decisions adopted by the Special Session on Disarmament. The Assembly adopted 43 resolutions on disarmament matters. Many related to the actions of the Special Session, others focussed on nuclear issues, chemical weapons, regional disarmament, etc.

Other topics discussed by the General Assembly in the political and security area included the peaceful uses of outer space, the Law of the Sea, Middle East issues including Israeli practices in the occupied territories, and Cyprus.

## PEACEFUL SETTLEMENT

### MIDDLE EAST

The intensive diplomatic efforts after Egyptian President Anwar Sadat's trip to Jerusalem led in September 1978 to the attainment of the Camp David agreements establishing the basis for the Egyptian-Israeli Peace Treaty, signed in Washington on March 26, 1979. The Camp David framework agreements also pledged Egypt, Israel, and the United States to continue their efforts to work for a just, comprehensive, and durable settlement of the Arab-Israeli dispute, which must recognize the legitimate rights of the Palestinian people.

The Camp David summit came immediately before the opening of the 33rd General Assembly, and negotiations between Egypt and Israel continued during the session. U.S. efforts at the General Assembly were aimed at seeking to discourage support for resolutions hostile to this peace effort. Major statements to the General Assembly by Secretary of State Vance and Senator Abraham A. Ribicoff 1/ explained in depth that the Camp David accords were intended to pave the way to further negotiations over the next 6 years of all outstanding issues. They stated the firm U.S. commitment to a fair and equitable solution for the concerns of the Palestinian people with their active participation, making clear our readiness to work with all those who accept UN Security Council resolution 242 (1967) as a basis for establishing peace.

A concerted campaign was undertaken by some Arab delegations to undercut the peace process by characterizing it as inconsistent with UN resolutions which, inter alia, have stated that peace agreements must be on the basis of the full attainment and exercise of the inalienable rights of the Palestinian people, including the right of return and the right to national independence and sovereignty in Palestine, and with the participation of the Palestine Liberation Organization (PLO). This campaign was successful in part in mobilizing support for resolutions reiterating these requirements.

### Security Council Consideration

#### Situation in Southern Lebanon

The Council met between March 17 and 19 at the request of Israel and Lebanon to discuss the situation resulting from the entry of Israeli forces into southern Lebanon in the days following March 14. On March 18 the U.S. Representative, Ambassador Andrew Young, stated that the aim of the Council must be to end as quickly as possible the current violence, and deal with some of the immediate underlying causes.

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1/ For the text of Secretary Vance's statement, see Appendix I, p. 291. See also p. 9, for a discussion of Senator Ribicoff's remarks. Senator Ribicoff and Senator James B. Pearson served as the two Congressional members of the U.S. delegation at the 33rd session of the General Assembly.



He outlined the three fundamental principles with which the United States approached the debate as (1) the withdrawal of Israel from southern Lebanon; (2) respect for the territorial integrity of Lebanon; and (3) the role the United Nations must play in assisting the Government of Lebanon to restore conditions that would facilitate the reestablishment of its authority, thus returning security and peace to the people of the area.

### Establishment of UNIFIL

At the same meeting on March 18, he introduced a U.S. draft resolution to establish the United Nations Interim Force in Lebanon (UNIFIL) with the goals of confirming the withdrawal of Israeli forces from Lebanon, restoring peace and security in its area of operation, and assisting the Government of Lebanon in insuring the return of its effective authority in the south. Further, it called for strict respect for the territorial integrity, sovereignty, and political independence of Lebanon and called on Israel to cease military action and withdraw from all Lebanese territory. On March 19, the Council adopted the draft resolution by a vote of 12 (U.S.) to 0, with 2 abstentions (Czechoslovakia, U.S.S.R.), China not participating. (Resolution 425 (1978).) At a meeting later the same day, the Council adopted, by an identical vote, a draft resolution sponsored by the United Kingdom which approved a report by the Secretary General on arrangements for the new force and decided that it be established for an initial period of 6 months. (Resolution 426 (1978).)

The Council met on May 3 to consider a proposal by the Secretary General to increase the strength of UNIFIL and adopted--by a vote of 12 (U.S.) to 0, with 2 abstentions (Czechoslovakia, U.S.S.R.), China not participating--a draft resolution sponsored by Bolivia, India, and Mauritius which approved an increase in the strength of UNIFIL from 4,000 to approximately 6,000 troops. (Resolution 427 (1978).) The resolution also took note of the withdrawal of Israeli forces, called for completion of their withdrawal without delay, and deplored the attacks that had occurred on the UN Force.

UNIFIL Renewal. On October 18--by a vote of 12 (U.S.) to 0, with 2 abstentions (Czechoslovakia, U.S.S.R.), China not participating--the Security Council adopted a U.S. draft resolution to renew the mandate of UNIFIL for a period of 4 months, until January 19, 1979. (Resolution 434 (1978).) The resolution also called upon Israel, Lebanon, and all others concerned to cooperate fully and urgently in the implementation of Security Council resolutions 425 and 426 adopted March 19. The Secretary General was requested to report at the end of 2 months and again at the end of 4 months on the implementation of the resolution so that the Council could assess the situation and examine what further measures should be taken.

Further Outbreaks of Violence. Despite the presence of UNIFIL, the fighting became so intense in and around Beirut that by October 6 it was thought necessary for the Security Council to take some action. Meeting on October 6, the Security Council adopted unanimously a draft resolution which called for all those involved in hostilities to observe an immediate cease-fire and allow units of the Red Cross to evacuate the wounded and provide humanitarian assistance. (Resolution 436 (1978).)

Consensus Statement of December 8. The Security Council met December 8 to consider the Secretary General's interim report on UNIFIL, submitted in pursuance of Security Council resolution 434 (1978). At that meeting in a statement representing the consensus of its members, the Council expressed its deep concern over the situation in southern Lebanon, and demanded the removal of the obstacles placed in the way of the full deployment of UNIFIL and the total implementation of the Council's resolutions on the situation. It called for all those not fully cooperating with UNIFIL, particularly Israel, to desist from interfering with UNIFIL's operations in southern Lebanon, and demanded they comply fully and without delay in the implementation of these resolutions. Ambassador James F. Leonard, Jr., speaking for the United States, said that while sharing the concern for the lack of progress in UNIFIL's area of operations, the United States believed it noteworthy that UNIFIL had succeeded in making possible withdrawal of Israeli forces from southern Lebanon. The United States believed that a firm peace would come only when the Government of Lebanon was able to operate independently, effectively, and free from civil strife.

#### UNDOF Renewals

The Security Council met on May 31 and adopted a resolution extending the UN Disengagement Observer Force (the peacekeeping force on the Golan Heights) for another period of 6 months, until November 30, 1978. (Resolution 429 (1978).) The resolution was adopted by a vote of 14 (U.S.) to 0, China not participating. Following adoption of the resolution, the Council President (Venezuela), in keeping with the practice followed during the three most recent UNDOF renewals, read a statement on behalf of the Council that quoted a part of the Secretary General's report to the effect that the situation in the area would remain unstable and dangerous unless real progress was soon made toward an overall settlement.

Speaking for the United States, Ambassador Leonard said that although hard problems had been encountered, and serious obstacles remained, it was to UNDOF's great credit that efforts to reach a lasting settlement continue in an atmosphere of peace and stability. He stated that the success of UNDOF had been greatly assisted by the parties' scrupulous observance of their obligations under the disengagement agreement. He praised Israel and Syria for again agreeing to extend the mandate substantially in advance of its termination date. The United States viewed this as another indication of the sincere desire for peace on the part of both Israel and its Arab neighbors.

Meeting on November 30, the Council followed the same procedure as it had in May in extending the UNDOF mandate until May 31, 1979. The resolution was again adopted by a vote of 14 (U.S.) to 0, with China not participating. (Resolution 441 (1978).)

#### UNEF Renewals

On October 23--by a vote of 12 (U.S.) to 0, with 2 abstentions (Czechoslovakia, U.S.S.R.), China not participating--the Security Council adopted a resolution renewing the mandate of the UN Emergency Force (UNEF) in the Sinai for 9 months, until July 24, 1979. (Resolution 438 (1978).) The resolution was similar to that of the previous

year except with respect to duration, the previous renewal having been for a period of 12 months. Ambassador Leonard expressed the view that UNEF had played a vital role in peacekeeping in the Middle East. The United States would have preferred a 1-year renewal because of the peace it provided in the area and because it was the wish of the parties and the recommendation of the Secretary General. However, the United States was prepared to accept the compromise of 9 months. In response to an earlier statement by the Soviet Union at the same meeting, Ambassador Leonard stated that the United States agreed with the view that the Secretary General should keep the Council informed of significant developments concerning UNEF, including major changes in its deployment, but that the Charter contemplated and experience confirmed the need of the Secretary General to exercise reasonable latitude in carrying out the objectives of United Nations peacekeeping forces.

### General Assembly Consideration

The 33rd General Assembly included four Middle East items in its agenda, all of which had been considered in previous years. Two items--Situation in the Middle East and Question of Palestine--were considered directly in plenary without reference to a main committee. The two other items--UN Relief and Works Agency for Palestine Refugees in the Near East and Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories--were considered by the Special Political Committee. Also before the General Assembly was a draft resolution introduced by Iraq in the First Committee, under the item on the review of the implementation of the recommendations of the special session on disarmament, calling for an arms embargo against Israel.

### Arms Embargo Against Israel

An Iraqi draft resolution ultimately sponsored by 38 states, was introduced in the First Committee on October 18. The draft resolution called upon the Security Council to impose an embargo on arms; military equipment; and nuclear equipment, material, or technology being sent to Israel. The General Assembly resolution was in the form of a request for action by the Security Council because such measures called for under Chapter VII of the UN Charter, are the prerogative of the Security Council. On November 27 the First Committee approved the draft resolution by a vote of 68 to 24 (U.S.), with 33 abstentions. The U.S. Representative, Adrian S. Fisher, labeled the measure one-sided and confrontational. The U.S. view was that the application of a mandatory arms embargo against only one state in the Middle East--Israel--would undermine the security of that state, create a fundamental imbalance in the Middle East, and thus contribute to a dangerous destabilization of the area.

In the plenary session on December 14, there were two votes on the resolution. The first was a procedural question which the United States introduced as to whether, since there was a recommendation to take action under Chapter VII of the Charter, this resolution was not an "important question" as defined in



article 18(2) of the Charter. 2/

The Assembly decided by a vote of 38 (U.S.) to 70, with 26 abstentions that this was not an important question. The United States regretted this action, viewing it as the setting aside of a fundamental provision of the Charter. The resolution was then adopted by a recorded vote of 72 to 30 (U.S.), with 37 abstentions. (Resolution 33/71 A.)

### Situation in the Middle East

The debate on the situation in the Middle East took place at five meetings between December 5 and 7. Forty-three states and the PLO took part in the debate. On December 6, Sri Lanka introduced a draft resolution, ultimately sponsored by 21 states, which, inter alia, (1) condemned Israel's continued occupation of Palestinian and other Arab territories; (2) called, once more, for an early convening of the Peace Conference on the Middle East with PLO participation; and (3) requested the Security Council to take all necessary measures to insure implementation of relevant UN resolutions.

The U.S. Representative, Richard W. Petree, spoke on December 6. He recalled that through no fault of its own the United Nations, for more than 30 years, had been frustrated in its search for a practical and effective approach to the problem of the Middle East. He observed that there was a peace effort then making progress and stated that the Camp David accords represented an unprecedented opportunity to find a just, lasting, and comprehensive solution to the long, tragic conflict. He emphasized that the Camp David agreements were built upon the foundations of Security Council resolutions 242 and 338, laying out in more detail the principles and procedures that would govern the next negotiating steps. He noted that the Camp David frameworks excluded no one, but that they invited and encouraged the full participation of "all those who accept as the object of these negotiations security, recognition, and peace among neighbors."

On December 7, the resolution, which lacked any acknowledgement of the Camp David accords, was adopted by a vote of 100 to 4 (Canada, Guatemala, Israel, U.S.), with 33 abstentions. (Resolution 33/29.)

### Question of Palestine

The "Question of Palestine" was considered by the Assembly in plenary session at nine meetings between November 27 and December 7. Representatives of 55 states and the PLO spoke in debate on the item.

The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People was introduced by the Rapporteur of the Palestinian Rights Committee on November 27. The report reaffirmed the recommendations of the Committee for a solution to the Palestinian problem made at the 31st session of the General Assembly, which had remained unchanged since that time.

The 1976 report reaffirmed the "natural and inalienable" right

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2/ Article 18(2) explicitly provides that any recommendation with respect to the maintenance of international peace and security is an "important question" and for a decision to be taken requires a two-thirds majority of the members present and voting.



of Palestinians to return to their homes and recommended implementing this right in two phases. The first phase would be the return of those displaced as a result of the June 1967 war, and the second phase would be the return of those displaced between 1948 and 1967. The Committee had also recommended, inter alia, that the Security Council establish a timetable for Israeli withdrawal from occupied territories by June 1, 1977, and that those territories be turned over to the PLO as the representative of the Palestinian people. The Committee chose to retain the 1977 date, although past, for withdrawal of Israeli forces from those areas occupied in 1967 for its symbolic significance and as a reminder of the urgency of a solution.

On December 1, Sri Lanka introduced three draft resolutions, which were eventually sponsored by 34 states. The first stated that the validity of agreements to solve the problem of Palestine required that they be within the framework of the United Nations and its resolutions, endorsed the Committee's recommendations, and once again urged the Security Council to consider these recommendations.

The second authorized the Committee to continue its efforts to promote the implementation of its recommendations and requested the UN Conciliation Commission for Palestine to cooperate fully with the Committee.

The third concerned the activities of the Special Unit on Palestinian Rights, established in 1977 within the UN Secretariat.

On November 30 the U.S. Representative, Senator Ribicoff, said that the United States shared with many other governments a deep desire for "practical progress toward a resolution of the Palestinian question in all its aspects." He stated that the United States was prepared to work vigorously for peace with all who would accept Security Council resolution 242 and "accept that the ultimate purpose of the negotiations is to achieve peace and recognition between the Palestinian and Israeli peoples on bases that reasonable men will judge to be fair." Thus the United States indicated its support for the participation of the Palestinian people in the peace process while making clear the unacceptability of the PLO as long as it refused to accept Security Council resolution 242.

On December 7, the General Assembly adopted the three draft resolutions by votes of 97 to 19 (U.S.), with 25 abstentions; 103 to 14 (U.S.), with 24 abstentions; and 98 to 17 (U.S.), with 26 abstentions respectively. (Resolutions 28 A-C.)

Ambassador Young spoke in explanation of the U.S. vote. He reaffirmed that the United States was committed to resolving the legitimate problems of the Palestinian people and that the Camp David framework pledges Israel, Egypt, and the United States to insure that any settlement must recognize the legitimate rights of the Palestinian people. However, he decried the activities of the Palestinian Rights Committee and Special Unit activities as wasteful of precious UN resources and as not advancing the cause of peace. He labeled the purposes of these activities partisan, unconstructive, and one-sided. He cited one of the main strengths of the UN Secretariat, evident in peacekeeping and mediation activities, as its reputation for impartiality and professionalism. He said it was unacceptable to the United States that the resolutions, in

purporting to support the aspirations of the Palestinian people, attempted to advance the cause of the PLO which had not accepted as the basis for peace resolution 242 and the concept of peaceful negotiations to achieve peace.

The United States also objected that the Committee's report, accepted and affirmed in these resolutions, completely ignored developments at Camp David and in the peace process since. In fact, the resolutions totally ignored the idea of negotiations; instead, calling for immediate withdrawal from occupied territories and demanding the rights of self-determination and independent statehood for the Palestinian people.

#### UN Relief and Works Agency for Palestine Refugees in the Near East

The Special Political Committee of the 33rd General Assembly met 11 times between October 25 and November 6 to discuss UNRWA. The Committee had before it the report the Commissioner General of UNRWA; reports by the Secretary General on Israel's compliance with provisions of earlier resolutions concerning population and refugees displaced since 1967, and on offers of scholarships and grants for higher education for Palestine refugees; the report of the UN Conciliation Commission for Palestine (PCC); 3/ and the report of the Working Group on the Financing of UNRWA.

The Committee approved six draft resolutions similar to those adopted in previous years. All were adopted in plenary on December 18.

U.S. Draft Resolution. In introducing a draft resolution on October 30, the U.S. Representative, Angelique O. Stahl, made a statement noting the long, vital role played by UNRWA and the strong support it had received from the United States. After years of hoping for developments which would affect the refugee situation in a positive way, 1978 had produced one holding that promise, namely the Camp David accords. In the interim it remained the role of UNRWA to assist the refugees, and the international community should provide means for this through generous contributions to meet past and anticipated deficits.

The U.S. draft resolution, entitled "Assistance to Palestinian Refugees," in general followed the format of past U.S.-sponsored resolutions. It (1) noted with regret the repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) had not been effected, and that no progress had been made in the programs endorsed by the Assembly in 1952 for the reintegration of refugees either by repatriation or resettlement; (2) expressed thanks to the Commissioner General and the staff of UNRWA, and to the specialized agencies and others for their work in assisting the refugees; (3) regretted that part of the headquarters of UNRWA had been relocated outside of its area of activity and requested that the headquarters be reconsolidated within that area as soon as practicable; (4) noted with regret that the PCC had been

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3/ The PCC was established by the 3rd General Assembly in resolution 194, adopted Dec. 11, 1948; its three members are France, Turkey, and the United States.

unable to find means of achieving progress in the implementation of resolution 194 (III) and requested it to continue its efforts to do so; (5) directed attention to the continuing seriousness of UNRWA's financial position; (6) expressed concern that despite the Commissioner General's efforts to collect additional contributions, UNRWA's level of income will continue to result in recurring annual deficits; and (7) called upon all governments to respond urgently to UNRWA's needs.

The draft resolution was approved in Committee on November 3 by a vote of 108 to 0, with 1 abstention, and resolution 33/112 A was adopted in plenary by a rollcall vote of 136 (U.S.) to 0, with 2 abstentions (Israel and El Salvador).

Assistance to Persons Displaced in 1967. Sweden introduced a draft resolution, ultimately sponsored by 15 states, that reaffirmed previous resolutions on the subject; once again endorsed UNRWA efforts to continue to provide humanitarian assistance on a temporary emergency basis to those in need as a result of the 1967 hostilities; and strongly appealed to Governments, organizations, and individuals to contribute generously to UNRWA and to other intergovernmental and non-governmental organizations concerned.

The draft resolution was approved unanimously on November 3 in Committee and adopted as resolution 33/112 B by the Assembly without vote.

Financial Assistance for Higher Education. On November 2, Jordan introduced a draft resolution entitled "Offers by Member States of grants and scholarships for higher education, including vocational training, for the Palestinian refugees." The draft resolution was also originally sponsored by the United States. A Libyan amendment to the resolution was offered which would change the wording "contribute generously for scholarships to Palestinian students in universities. . ." to "to the Palestinian universities in territories occupied by Israel since 1967." Mrs. Stahl then said that her delegation was reluctantly obliged to withdraw its sponsorship of the draft resolution in view of the amendment. It implied a financial commitment for all member states, and an especially heavy one for the United States, one of the major contributors to the activities of UNRWA.

The draft resolution (1) expressed regret that the response to an appeal in resolution 32/90 had not been commensurate with the educational needs of Palestinian refugees; (2) appealed to all states to make special allocations, scholarships, and grants in addition to their regular contributions to UNRWA; (3) invited relevant UN agencies, including the UN University, to consider the inclusion within their respective spheres of competence of assistance for higher education for Palestinian refugee students; (4) appealed to all states, specialized agencies, and non-governmental organizations to contribute generously to Palestinian universities in territories occupied by Israel since 1967 as well as offer scholarships to Palestinian refugee students in those universities; and (5) requested UNRWA to act as recipient and trustee for such special allocations and scholarships and to award them to qualified Palestinian refugee candidates.



The revised draft resolution was ultimately sponsored by four states. It was approved in Committee on November 6 by a vote of 111 to 0, with 2 abstentions. Resolution 33/112 C was adopted by the Assembly by a rollcall vote of 136 to 0, with 2 abstentions (U.S. and Israel).

UNRWA Financing. The Working Group on the Financing of UNRWA 4/ was established by the 25th General Assembly in December 1970 and has been renewed annually by each General Assembly since. Again in 1978, UNRWA was in financial difficulties. In its October 19 report to the General Assembly the Working Group emphasized the gravity of UNRWA's financial situation. The report also concluded that the new forward planning procedure had made it possible in 1978 to avoid an immediate financial crisis and drastic cutback on programs, but it had not provided a solution to the longer-term problems of financial security for the operations of UNRWA. The Working Group called for larger contributions from those who had contributed inadequately or not at all.

On November 2 the Netherlands introduced a draft resolution, ultimately sponsored by 14 states, that commended the Working Group for its work and requested it to continue its efforts for a further period of 1 year. The draft resolution was approved by the Committee unanimously on November 6 and adopted by the General Assembly without vote on December 18. (Resolution 33/112 D.)

Israeli Actions Toward Palestinian Refugees. On November 3, Pakistan introduced a draft resolution, eventually sponsored by nine states, on "Palestine refugees in the Gaza Strip," and Afghanistan introduced a draft resolution, "Population and refugees displaced since 1967," that was ultimately sponsored by eight states. The two drafts were virtually identical to resolutions passed at the 31st and 32nd General Assemblies on the same subject.

The nine-power draft resolution called upon Israel to immediately take effective steps for the return of the refugees concerned to the camps from which they were removed in the Gaza Strip, providing adequate shelters for their accommodation, and desist from further removal of refugees and destruction of their shelters.

The Committee approved the draft on November 6 by a vote of 109 to 1, with 2 abstentions (U.S.), and the Assembly adopted resolution 33/112 E on December 18 by a rollcall vote of 136 to 1 (Israel), with 4 abstentions (Canada, El Salvador, Guatemala, U.S.). In explaining the U.S. abstention, Mrs. Stahl said in the Special Political Committee that the United States had abstained because it felt it was illogical for a resolution purporting to relieve the plight of the refugees to call for their return to the camps in the Gaza Strip when they had been provided with more adequate housing. Furthermore, paragraph 2 of the draft resolution was outdated, since it failed to take account of the provision agreed upon at Camp David concerning arrangements for the restoration of peace to the area.

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4/ France, Ghana, Japan, Lebanon, Trinidad and Tobago, Turkey (Chairman), United Kingdom, United States.

The eight-power draft (1) reaffirmed the right of all displaced inhabitants to return to their homes or former places of residence in territories occupied by Israel since 1967; (2) deplored the continued refusal of Israeli authorities to take steps for the return of the displaced inhabitants; and (3) called once more upon Israel to take steps for the return of the displaced inhabitants and to desist from all measures obstructing such return, including measures affecting the physical and demographic structure of the occupied territories.

The draft resolution was approved in committee on November 6 by a vote of 95 to 4, with 18 abstentions, and adopted as resolution 33/112 F by a rollcall vote of 115 to 4 (Australia, Canada, Israel, U.S.), with 22 abstentions.

UNRWA Pledging Conference. At the pledging conference for UNRWA in New York on December 7, UNRWA Commissioner General Thomas McElhiney told the conference that there would be a short-fall of about \$35 million if UNRWA were to maintain all its services. By cutting flour rations basically to the level provided by donations in kind, UNRWA would save \$10 million. Unless special grants were forthcoming, he said, it would be necessary to discontinue the first 3 years of schooling for refugee children.

U.S. Political Counselor Betty-Jane Jones announced a U.S. contribution of \$52 million. In making the pledge Ms. Jones pointed out that the United States has been the largest contributor to UNRWA since the Agency was established in 1949 to provide assistance to Palestine refugees. She noted that the United States pledge for 1979 of \$52 million included \$9.5 million that is contingent upon receipt by UNRWA of matching contributions from the members of the Organization of Petroleum Exporting Countries. She urged that all member states contribute generously to UNRWA.

### Israeli Practices in Occupied Territories

The General Assembly established the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories in 1968. The three-member Committee 5/has never been permitted to visit either Israel or the occupied territories because Israel considers both it and its mandate biased. In 1978, as in previous years, the Committee's report was based on the examination of documents and press material, testimony received in person and by letter, and hearings held in Geneva.

At the 33rd General Assembly, the Special Political Committee considered the Committee's report at seven meetings between November 20 and 28; 39 states and the PLO took part in the debate. Three draft resolutions were introduced November 24, approved in committee by rollcall votes on November 28, and adopted in plenary session by recorded votes on December 18.

The first resolution, introduced by Indonesia and sponsored by nine states, reaffirmed that the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War is applicable to all the occupied territories and called upon Israel to acknowledge

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5/ Members in 1978 were Sri Lanka, Senegal, and Yugoslavia.

and comply with its provisions. It was approved in committee by a vote of 104 (U.S.) to 1 (Israel), with 1 abstention (Guatemala), and adopted by the Assembly by a vote of 140 (U.S.) to 1 (Israel), with 1 abstention (Guatemala). (Resolution 33/113 A.)

The second draft resolution introduced by Malaysia and ultimately sponsored by nine states, called upon Israel to desist from taking any action which would result in changing the legal status, geographical nature, or demographic composition of the occupied territories. The Committee, at the request of the United States, took a separate vote on paragraphs 1 and 2 of the draft resolution which spoke of "Palestinian and other occupied Arab territories" and approved the paragraphs by a vote of 105 to 1 (Israel), with 5 abstentions (Bahamas, Bolivia, Guatemala, U.S., Venezuela). Having established its reservation concerning the language of the two paragraphs, the United States joined in approving the resolution as a whole in a vote of 110 (U.S.) to 1 (Israel), with 3 abstentions (Bahamas, Guatemala, Venezuela) and in adopting it in plenary by a vote of 139 (U.S.) to 1 (Israel), with 1 abstention (Guatemala). (Resolution 33/113 B.)

The third resolution, introduced by Pakistan and also sponsored by six other states, condemned certain alleged Israeli policies and practices in the occupied territories, including annexation of parts of the territories, establishment of settlements within the territories, deportations of Arab inhabitants and denial of their right to return, confiscation of property, destruction of Arab houses, mass arrests, torture of prisoners, pillaging of archaeological property, interference with religious freedoms and practices, and illegal exploitation of natural resources. The resolution also demanded that Israel desist from the alleged policies and practices. Finally, it extended the mandate of the Special Committee. The resolution was approved in committee by a vote of 83 to 3 (Guatemala, Israel, U.S.), with 29 abstentions and adopted in plenary by a vote of 97 to 3 (Guatemala, Israel, U.S.), with 38 abstentions. (Resolution 33/113 C.)

The U.S. Representative, Mrs. Stahl, in a statement after the vote in the Special Political Committee, explained the U.S. position on the three resolutions. The United States, she said, had voted in favor of the first resolution because it had long held that the Fourth Geneva Convention applied throughout the territories occupied since 1967. Regarding the second resolution, she said that it was in most respects consistent with the U.S. position. She observed that unlike similar previous resolutions, which the United States had opposed, this resolution stated a position of principle, but it did not attempt to institute measures which would hinder the process of negotiation toward peace that was underway. The United States regretted that the resolution was not constructive in all its aspects; that it failed to take into account significant developments and the progress toward a real and lasting peace in the Middle East that had occurred in the last several months--including the Camp David accords and Israel's commitment to withdraw from the Sinai. The United States voted against the third resolution because it contained allegations which were not adequately verified. She added that the United States believed that the report on which the resolution was based was biased and one-sided, and it did not contribute to the cause of peace in the area.



## CYPRUS

### Intercommunal Talks

Intensive efforts were made during 1978 under the auspices of the Secretary General to bring representatives of the two Cypriot communities back to the negotiating table for serious and sustained talks leading to a settlement of the Cyprus problem. The Secretary General's report on the UN operation in Cyprus for the period December 1, 1977 - May 31, 1978, stated that he had undertaken intensive efforts to facilitate concrete and substantive negotiations, but that the results had remained disappointing. The United States had concentrated its efforts on encouraging the Cypriot parties to work with the Secretary General toward an early reconvening of intercommunal talks. Secretary of State Vance, speaking to the General Assembly on September 29, said the United States would welcome and actively support a renewed effort by the Secretary General to help the Cypriot parties reach agreement on a sovereign, bi-communal, non-aligned Federal Republic of Cyprus.

At the end of the year, the Secretary General had submitted a draft United Nations formula for the resumption of negotiations to the two sides, but no agreement to resume talks had been reached.

### Security Council Meetings on the Cyprus Question

At the request of the Government of Cyprus, the Security Council began meeting on November 15 to consider the question of Cyprus. Though the United States did not believe the situation in Cyprus warranted action by the Security Council at the time, it did not oppose the meeting, based on its traditional position of not contesting the right of a nation to call for a meeting of the Security Council under article 35 of the Charter. When the Council first met to consider this question on November 15, a procedural issue arose over the Greek Cypriot request to have the Cypriot President of the House of Representatives speak to the Council under Security Council rule 39 (as a non-governmental representative). Turkey and Turkish Cypriots threatened to boycott the meeting if this request was approved by the Council. After considerable negotiating, the Greek Cypriots agreed to withdraw the request on the understanding that the resolution it supported would be adopted by consensus without changes.

On November 27, the Security Council adopted resolution 440 (1978) by consensus calling upon the two Cypriot parties to cooperate promptly in the implementation of Security Council resolutions on Cyprus; urging that intercommunal negotiations be resumed; and requesting the Secretary General to report on the situation by May 30, 1979. Several delegations spoke in favor of the resolution. Representatives of Cyprus and Greece, invited to participate in accordance with rule 37, spoke in favor of the resolution. Also invited under rule 37 was the Turkish delegate, who opposed the resolution, as did Turkish Cypriot leader Danktash, speaking in accordance with rule 39.

The United States fully supported the goals of this resolution, but did not participate in the debate.

## Extensions of UNFICYP

UNFICYP, the UN peacekeeping force on Cyprus, continued its operations on the island through 1978. On June 16 and again on December 15, the Security Council voted by identical margins of 14 (U.S.) to 0, with China not participating, to extend the mandate of the force for 6 months. (Resolutions 430 (1978) and 443 (1978).) The votes were taken after considering reports by the Secretary General covering the preceding 6 months. The June resolution was adopted in the early morning of June 16, approximately 5 hours after the mandate had officially expired. This resolution was an abbreviated version of the previous standard resolutions on UNFICYP. The resolution noted the concurrence of the parties on the need to retain the peacekeeping force and reaffirmed resolution 186 (1964) and other relevant resolutions. Specific reference to resolution 367 (1975), which established the Secretary General's good offices mission, was eliminated, but the last operative paragraph requested that he continue this mission and report to the Security Council by November 30, 1978.

Speaking on June 16, the U.S. Representative, Ambassador Leonard, emphasized the Secretary General's special authority and responsibility for helping the parties reach an agreed settlement of the Cyprus dispute, and complimented Secretary General Waldheim on the scrupulous manner in which he had carried out the directives of resolution 367 (1975).

On December 15, the Security Council adopted an updated version of the June 16 resolution, renewing the UNFICYP mandate for a 6-month period. As in the case of Middle East peacekeeping efforts, the UN role in Cyprus is essential to maintaining the cease-fire and the United States fully supports the role of UNFICYP.

In his report on the UN operation in Cyprus for the period December 1, 1977-May 31, 1978, the Secretary General commented that the situation in the north had improved during the period under review, citing UNFICYP's increased freedom of movement and the fact that UNFICYP personnel had been given the opportunity to speak privately to Greek Cypriots in the area. In the report for the period June 1, 1978-November 30, 1978, Secretary General Waldheim noted modest improvements in UNFICYP's ability to discharge humanitarian functions and to promote normalization of the living conditions of the 1,572 Greek Cypriots then remaining in the north, and added that some 200 Turkish Cypriots then known to be living in the south had given UNFICYP to understand that they were satisfied with their living conditions.

Total costs of maintaining UNFICYP in 1978, including both cash costs and those absorbed by troop-contributing countries (exclusive of pay and allowances), were estimated at approximately \$35 million. The troop-contributing countries absorb a portion of the cost of maintaining the force in addition to the salaries of the personnel which they provide. As of November 16, 1978, the total cash costs of UNFICYP since its inception were estimated at \$297.5 million. Total cash contributions received as of that date were \$236 million, leaving a deficit of \$61.5 million. During 1978, the United States contributed \$8.9 million toward UNFICYP support. We had taken a decision to maintain our contribution at roughly 25% of total cash contributions and absorbed costs (exclusive of regular pay and allowances) as reported by the Secretary General for the previous



year. The United States continued to work with the United Nations and other interested countries in encouraging others to contribute more to UNFICYP, particularly those who have not made contributions commensurate with their financial capability and interest in stability on the island.

As of November 30, 1978, UNFICYP had 2,448 military personnel and 34 civilian police on Cyprus, for a total strength of 2,482. Contingents were provided by Austria, Canada, Denmark, Sweden, and the United Kingdom. Finland and Ireland still had a few officers and military police at UNFICYP headquarters, while the civilian police were provided by Australia and Sweden.

### General Assembly Consideration

At its fifth plenary meeting on September 22, the General Assembly decided to consider the item "Question of Cyprus" directly in plenary meeting, on the understanding that the Assembly would, when considering the item, invite the Special Political Committee to meet for the purpose of affording representatives of the Cypriot communities an opportunity to express their views. A Turkish proposal that the Cyprus item be left in plenary, and that representatives of the two Turkish communities be heard in plenary rather than in the Special Political Committee, was defeated 10 to 81 (U.S.), with 22 abstentions. In explanation of the United States vote, Ambassador Petree, the U.S. Representative, referred to the long-standing view of the United States that only representatives of member states should be heard in plenary.

On November 2, the Secretary General presented his report on the question of Cyprus, pursuant to resolution 32/15 of November 9, 1977. He noted the continuance of his efforts to provide his good offices for negotiations between the two communities, but added that the situation had progressed little, despite intense diplomatic activity.

The Special Political Committee held two meetings on November 7, and the General Assembly, after five plenary meetings on the item, adopted resolution 33/15 on November 9 by a vote of 110 to 4, with 22 (U.S.) abstentions.

Resolution 33/15 expressed concern at the prolongation of the Cyprus crisis and the lack of progress in intercommunal talks and regretted that UN resolutions on Cyprus had not been implemented. It further deplored the presence of foreign armed forces on Cyprus and demanded their withdrawal. The United States abstained on the resolution adopted by the General Assembly. Speaking in debate, Ambassador Petree noted that the resolution contained some positive elements, but as a whole would not promote an atmosphere favorable to resumption of intercommunal talks. He expressed appreciation for the patience and skill with which the Secretary General has pursued his good offices mission, and noted the strong United States support of his efforts to bring the parties together. He urged cooperation of the parties in sustained and serious negotiations, asked that the current debate be aimed at enhancing prospects for a negotiated settlement, and called for a moderate and balanced resolution that would make a meaningful contribution to the search for peace in Cyprus.

## SOUTH AFRICAN POLICIES OF APARTHEID

### Security Council

The Security Council held a series of meetings on the question of South Africa in 1978. The meetings consisted of four sessions and took place between January 26 and January 31, but concluded without adopting any resolutions, though two draft resolutions were prepared.

The substance and language of the two resolutions sponsored by Mauritius, Gabon, and Nigeria reflected the Africa Group consensus. The first draft resolution condemned South Africa for its continuing repression of the black people of South Africa, demanded the termination of all political trials within that country, and called for the abolishment of bantustanization.

The second draft resolution declared that all states should act together with the Security Council under any finding of the Council against South Africa based on Chapter VII of the UN Charter. This resolution also demanded that all states prohibit institutions within their jurisdiction from providing South Africa or its institutions any new loans, investments, or guarantees thereof. It also "urges all States to reconsider their existing economic and other relations with South Africa."

The last meeting took place January 31. The session was scheduled to continue into February, but a complaint by Chad took precedence and discussions on South Africa were not resumed.

### General Assembly

The 33rd session of the General Assembly held its yearly debate on apartheid between November 20 and 27. Fifteen resolutions were adopted under the agenda item "Policies of Apartheid of the Government of South Africa." As at preceding sessions, resolutions dealing with apartheid were introduced directly in plenary with representatives of southern African liberation movements, recognized by the Organization of African Unity, participating as observers. The resolutions were based on the reports of the Special Committee Against Apartheid 6--its regular report and special reports dealing with Oil Sanctions Against South Africa, and Redevelopments in the Relations Between Israel and South Africa.

In his November 22 statement during debate on the resolutions, the U.S. Representative, Ambassador James F. Leonard, recalled Secretary Vance's earlier remarks on South Africa when he said:

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6/ The Special Committee Against Apartheid was established by the General Assembly in 1962 as the "Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa." The 18 members in 1978 were Algeria, German Democratic Republic, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Malaysia, Nepal, Nigeria, Peru, Philippines, Somalia, Sudan, Syrian Arab Republic, Trinidad and Tobago, and Ukrainian S.S.R.

"Our policy toward South Africa should not be misunderstood. We have no wish to see the whites driven from the home of their forebears. We suggest only that they seek a way to live in peace and justice with the majority of their fellow citizens. South Africans of all races, and not just the white citizens, should decide their country's future. We do not seek to impose either a timetable or a blueprint for this progress. But I hope, as do all who have sympathy for the problems that society encounters in facing fundamental change, that the beginnings of basic progress will soon be seen."

All 15 resolutions in connection with the item were adopted on January 24, 1979, at the resumed session of the 33rd General Assembly.

On November 25 New Zealand introduced a draft resolution which commended the "United Nations Trust Fund for South Africa." The resolution was eventually sponsored by 47 states. The Trust Fund was established in 1966 and has been used extensively for both legal and humanitarian assistance to those persons persecuted under the Apartheid regime. Resolution 33/183 A, adopted without vote, expressed appreciation to those contributing to the Trust Fund, and again appealed for generous contributions to the Trust Fund and voluntary agencies concerned.

The second draft resolution, entitled "International Mobilization Against Apartheid," sponsored by 44 states, was adopted as resolution 33/183 B by a rollcall vote of 122 to 4 (U.S.), with 0 abstentions. This resolution essentially called for all governments, intergovernmental, and non-governmental organizations to join in an international mobilization against apartheid by "appropriate action".

The United States agreed with this resolution's call for action against apartheid, but felt the phrase in a preambular paragraph referring to "the threat to international peace and security caused by the apartheid regime" was contrary to our belief that the internal political policies of a state cannot alone constitute a basis for a threat to international peace and security. In addition, the United States believed that enlightened business practices, particularly in the labor field, can make important evolutionary contributions to the process of positive social change in South Africa.

A third draft resolution, sponsored by 34 states, requested the Secretary General and Director General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) to take steps they deem necessary to honor the memory of leaders and outstanding personalities who have made significant contributions to the struggle of oppressed peoples against apartheid, racial discrimination and colonialism. It also requested the Secretary General and UNESCO Director General to publicize the lives and contributions of those leaders for the education of world opinion, especially of youth. Resolution 33/183 C was adopted by a rollcall vote of 129 (U.S.) to 0, with 0 abstentions.

The fourth draft resolution to be introduced dealt with the "Relations Between Israel and South Africa." Eventually sponsored by 38 states, the resolution condemned Israel for her involvement with South Africa and demanded that Israel cease all collaboration



with South Africa. Resolution 33/183 D was adopted by a rollcall vote of 82 to 18 (U.S.), with 28 abstentions.

The United States voted against this resolution because, in its view, one nation should not be singled out for its relationship with South Africa when many nations are both economically and militarily related to the regime.

Another draft resolution, sponsored by a group of 44 states drawn almost exclusively from the Third World, dealt with the topic of an "Oil Embargo Against South Africa." The resolution was adopted by a rollcall vote of 105 to 6 (U.S.), with 16 abstentions. As resolution 33/183 E, it (1) commended all governments who had imposed an oil embargo against South Africa; (2) requested the Security Council to consider an embargo of petroleum and petroleum products to South Africa under Chapter VII of the Charter; (3) requested all states to enact legislation prohibiting such trade; (4) encouraged trade unions and other concerned organizations and movements to intensify their campaign for such an effective oil embargo; and (5) requested the Special Committee against Apartheid to take appropriate steps for the implementation of the resolution.

"Political Prisoners in South Africa," ultimately sponsored by 49 states was adopted without vote as resolution 33/183 F. Inter alia, it (1) demanded that the racist regime of South Africa. . . . release all persons imprisoned or restricted under arbitrary laws for their opposition to apartheid and abrogate the bans on organizations and news media opposed to apartheid; (2) expressed solidarity with the national liberation movement of South Africa; and (3) declared that freedom fighters captured during the struggle for liberation must be entitled to prisoner-of-war status in accordance with relevant Geneva Conventions.

The seventh draft resolution was entitled "Nuclear Collaboration with the South African Government." Sponsored by 44 states, the resolution's preambular statements considered South African acquisition of a nuclear-weapon capability to be a grave threat to international peace and security. It also called upon all states (including specific mention of France, Israel, West Germany, and the United States) to cease all nuclear collaboration with South Africa. The final vote was 96 to 5 (U.S.), with 23 abstentions, and was adopted as resolution 33/183 G. The United States voted against this resolution in part because the United States was criticized by name. In addition, the United States believes that a complete cut-off of nuclear relations with South Africa would make it more likely that South Africa would develop its own nuclear weapons capacity while seriously reducing the chances of its ratifying the Non-Proliferation Treaty or an agreement to place its nuclear facilities under international safeguards.

Another draft resolution entitled "Economic collaboration with South Africa" was considered. The resolution, inter alia, called for (1) termination of all International Monetary Fund (IMF) credits; (2) denial of all air/sea facilities to South African craft; (3) an embargo of all "strategic materials" to South Africa; (4) denial of all loans, both governmental and private to South Africa; and (5) publication of the names of those multinational corporations "collaborating" with the South African regime. Sponsored by 41 states,

resolution 33/183 H was adopted by a vote of 98 to 10 (U.S.), with 20 abstentions. The United States opposed this resolution because it believes that the problem of apartheid is not susceptible to solution through United Nations sanctions, nor does the United States consider the maintenance of both normal and diplomatic economic relations with South Africa to be "collaboration", as understood in the resolution.

Thirty-nine states sponsored a draft resolution on the "Dissemination of Information on Apartheid" which was adopted as resolution 33/183 I by a vote of 130 (U.S.), to 0, with 0 abstentions. It basically dealt with the distribution of films, news, radio broadcasts and the like dealing with information on apartheid and its distribution within the UN system as well as to the outside world.

Introduced by Cuba on January 24, a draft resolution dealing with the "Programme of Work of the Special Committee" was adopted by a rollcall vote of 124 to 0, with 4 abstentions (U.S.). This resolution, 33/183 J, authorized the Special Committee (1) to send missions to Member States and intergovernmental organizations; (2) to participate in conferences dealing with apartheid; (3) invite representatives of the South African liberation movements recognized by the Organization of African Unity for consultations relating to apartheid; (4) to promote assistance to the oppressed people of South Africa and their liberation movements; (5) to send representatives to attend meetings of the Governing Council of UNDP, the Executive Committee of the Program of the United Nations High Commissioner for Refugees and other bodies dealing with apartheid questions; (6) requested the Special Committee, in cooperation with the Secretary General to undertake consultations with Member States with a view to making proposals to the 34th General Assembly on the expansion of its membership in accordance with the principle of equitable geographical distribution; and (7) decided that the post of the head of the Centre against apartheid be upgraded to the level of an Assistant Secretary General.

Another draft resolution, ultimately sponsored by 45 states was entitled "Assistance to the Oppressed People of South Africa and Their National Liberation Movements". Inter alia, it (1) appealed to all states to provide increased humanitarian and educational assistance to oppressed people of South Africa, as well as assistance required in legitimate struggles by liberation movements for self-determination; (2) appealed to all states to provide the African states concerned with assistance to compensate them for their economic sacrifices resulting from their support of the South African national liberation movements and granting of asylum to South African refugees. By a rollcall vote of 115 to 0, with 12 abstentions (U.S.), the draft was adopted as resolution 33/183 K. The United States abstained on this resolution because of the phrases "all necessary assistance" and "all assistance required" with reference to the South African liberation movements in both preambular paragraph four and operational paragraph one. Such assistance could conceivably include military assistance employed by the liberation movements, and this clearly is not what the United States or the United Nations desires.

On January 24, Sri Lanka introduced a draft resolution entitled "Situation in South Africa," which was eventually sponsored by 44 states. Its 12 operational paragraphs were a mix of both old and



new appeals. Primarily this resolution listed the contents of resolution 32/105 K adopted last year under the same title. New paragraphs included a reaffirmation of the legitimacy of the struggle of the oppressed people of South Africa and their national liberation movement by all available means, including armed struggle, for the seizure of power. An appeal was made to all states who have not done so to accede to the International Convention on the Suppression and Punishment of the Crime of Apartheid, and the resolution urged all governments and organizations to give special attention during the International Year of the Child to the plight of children oppressed by the apartheid regime. Resolution 33/183 L was adopted by a roll-call vote of 103 to 9 (U.S.), with 17 abstentions. The United States voted against this resolution because, although the South African Government is clearly not representative of all its people, the Government of South Africa is regarded by the United States as legitimate in the legal sense. The United States did not recognize the national liberation movement as the "authentic representative of the South African people but rather as one authentic voice". Finally, the United States did not consider the maintenance of diplomatic and economic relations with South Africa to be "collaboration" with South Africa. The United States could not accept the premise that such ties with the South African Government are necessarily a "hostile act against the purposes and principles of the United Nations." On the contrary, a peaceful negotiated solution to the problem of attainment of majority rule in South Africa is likely to come about only through the contacts made possible by continuing formal ties.

"Military Collaboration with the South African Government" was the title of a draft resolution introduced by Benin on January 24, which was sponsored by 43 nations. It requested (1) the Security Council to declare any military or nuclear collaboration with South Africa a threat to international peace and security and to take urgent mandatory measures under Chapter VII of the UN Charter to end all such military/nuclear collaboration; and (2) requested the Security Council to take mandatory measures to revoke all licenses granted to South Africa for the manufacture of arms and military equipment, terminate the exchange of military attachés and prohibit the supply of aircraft, aircraft spare parts and computers to South Africa. Resolution 33/183 M was adopted by a recorded vote of 113 to 3 (U.S.), with 13 abstentions. The United States opposed this resolution because it did not believe that the exchange of military attachés constituted "military collaboration" with the South African Government.

A draft resolution entitled "Apartheid in Sports" was introduced by Tanzania on January 24, and eventually sponsored by 42 states. This was based on the recommendations contained in the report of the Ad Hoc Committee on the Drafting of an International Convention Against Apartheid in Sports. 7/

Resolution 33/183 N was adopted by a rollcall vote of 112 to 0, with 15 abstentions (U.S.). Among other things it (1) requested the Ad Hoc Committee on the drafting of an International Convention against Apartheid in Sports to continue its work with a view to completing a draft convention for submission to the 34th General

Assembly; (2) appealed to all states to implement the International Declaration Against Apartheid in Sports adopted in 1977 by the General Assembly; (3) authorized the Ad Hoc Committee to consult with representatives of concerned organizations and experts on apartheid in sports. The United States abstained because several key elements of the resolution could not be implemented and enforced under U.S. laws.

On January 24, Sweden introduced a draft resolution entitled "Investments in South Africa", which was ultimately sponsored by 42 states. This resolution recommended (1) that a cessation of all new financial loans to South Africa would constitute an important step in international action for the elimination of apartheid, as such investments and loans abet and encourage the apartheid policies of that country; (2) noted with regret that the Security Council had not taken steps for the cessation of further foreign investments in South Africa, as requested in resolutions 31/6 K and 32/105 0; and (3) urged the Security Council to consider the matter at an early date with a view to taking effective steps to achieve the cessation of further foreign investments in, and financial loans to, South Africa. Resolution 33/183 0 was adopted by a rollcall vote of 117 to 0, with 10 abstentions (U.S.).

#### World Conference on Racism and Racial Discrimination

The World Conference on Racism and Racial Discrimination, which met in Geneva from August 14 to 25, 1978, marked the half-way point in the UN Decade for Action to Combat Racism and Racial Discrimination. The Decade, created with United States support and designated by A/RES/3057 (XXVIII) of November 2, 1973, was intended to provide a framework for a variety of international anti-apartheid measures.

However, with the adoption in 1975 of A/RES/3379 (XXX), which equates Zionism with racism, the United States was unable to further support or participate in Decade-related activities. As the World Conference was clearly a major benchmark in the Decade program and as it was evident that there would be attempts at the Conference to reaffirm the Zionism-racism canard, the United States elected not to participate. However, our Mission in Geneva maintained close contact with Western and other like-minded delegations participating in the Conference.

The report of the World Conference to Combat Racism and Racial Discrimination was considered in the Third Committee at 18 meetings between October 13 and December 4. The Committee approved on December 4 draft resolutions relating to the Conference. The first, entitled "World Conference to Combat Racism and Racial Discrimination", was introduced by Ghana and ultimately sponsored by 24 states. It was approved by a rollcall vote of 101 to 18, with 13 abstentions. The draft, among other things (1) approves the Declaration and Programs of Action adopted by the Conference; (2) outlines national and international measures for the implementation of the Program; and (3) describes the framework within which the organs and bodies of the UN system should operate to insure effective implementation of the Program. A second draft resolution entitled "Results of the World Conference to Combat Racism and Racial Discrimination" was introduced at Burundi, and ultimately sponsored by 34 states. This

draft resolution was approved by a vote of 87 to 19, with 14 abstentions. The draft, inter alia, (1) took note of the report of the Conference; (2) endorsed the Declaration and Program of Action; (3) requested the Secretary General to organize during the second half of the Decade for Action to Combat Racism and Racial Discrimination, at the levels of each region of the United Nations, regional seminars against such discrimination, and to study the possibility of establishing an international fund on the basis of voluntary contributions with a view to assisting peoples and their national liberation movements in their struggle against racism and apartheid.

The draft resolutions were considered in plenary on December 16. The first draft resolution was adopted by a rollcall vote of 107 to 18, with 11 abstentions, and the second by a rollcall vote of 101 to 19, with 15 abstentions. (Resolutions 33/99 and 33/100.)

The United States did not participate in the voting in either committee or in plenary. The U.S. Representative, Richard Petree, expressed regret that the results of the World Conference were so disappointing and that the valuable opportunity which the Conference presented to return the Decade to its original basis, as approved by consensus in the General Assembly, had been lost.

#### OTHER AFRICAN QUESTIONS

##### Angola Complaint Against South Africa

On May 5, a complaint by Angola was brought before the Security Council in the wake of a sudden attack by South Africa from the UN mandated territory of Namibia into Angola. During the ensuing debate, a draft resolution was brought before the Council by Bolivia, Gabon, India, Kuwait, Mauritius, Nigeria, and Venezuela. This resolution (1) condemned South Africa not only for its invasion and use of armed force against the People's Republic of Angola; (2) also condemned South Africa for its use of the UN mandated territory of Namibia as a springboard for the invasion; (3) demanded the withdrawal of all South African troops from Angola; and (4) that South Africa end its illegal occupation of Namibia in compliance with S/RES/385 (1976). The resolution was adopted unanimously as resolution 428 (1978).

In his May 6 statement to the Council on this subject, the U.S. Representative, Mr. Leonard, said:

"This resort to violence is something which my government has consistently deplored and continues to deplore, whatever may be the justification put forward. In particular, at this delicate juncture South Africa would be well-advised to exercise utmost restraint, to give forces of peace an opportunity to find a way out of the situation created by South Africa's own misguided policies.

"We are more convinced than ever that the goal of peace in that area, the achievement of the hopes of the people of Namibia, can only be achieved by the decision of all the parties to make peace now. We intend to use every practical means at our disposal

to create conditions in the area which would prevent the kind of tragic acts of violence we have today joined in condemning."

#### Chad Complaint Against Libya

On February 9, 1978, the Government of Chad brought a complaint against Libya to the Security Council. The complaint stemmed from Libyan occupation of the Aouzou strip of northern Chad and Libyan support of the National Liberation Front (FROLINAT). Chad claimed that such activities on the part of Libya were in violation of Chad's national sovereignty as well as a contravention to the letter and spirit of the UN Charter.

The Council met once, February 17, to consider the complaint. From February 16 to 18, a meeting of representatives from Chad, Libya, and the Sudan took place at Tripoli. From this meeting a joint communique was issued announcing, inter alia, that Chad and Libya would work toward restoring diplomatic relations, and that Chad had decided to withdraw its complaint to the Security Council. The request for withdrawal was addressed to the President of the Security Council on February 22, and there was no further discussion of the item.



## DISARMAMENT AND ARMS CONTROL

### CONFERENCE OF THE COMMITTEE ON DISARMAMENT

The CCD, 8 /principal forum for multilateral negotiation of arms control and disarmament agreements, held its final spring and summer sessions in Geneva, Switzerland, during 1978. As a result of agreement reached following consultation among member states during the special session on disarmament, the CCD is to be succeeded by a somewhat enlarged multilateral negotiating body, the Committee on Disarmament (CD). (See p. 32 ). Although the CCD was not an organ of the United Nations, it submitted a report each year to the United Nations General Assembly and conducted much of its work in response to General Assembly resolutions. The U.S. delegation was headed by Ambassador Fisher, who, with the Head of the Soviet delegation, also served as Cochairman of the CCD.

In 1978, the CCD met from January 31 to May 11 and, for the last time, from July 11 to August 31. In addition to its formal plenary meetings, in which members set forth their views on questions before the Committee, informal meetings of the CCD were held--in some cases, with the participation of technical experts--on a comprehensive test ban, a chemical weapons ban, and new weapons of mass destruction. The U.S. and Soviet delegations also reported on the progress in their bilateral negotiations on the prohibition of radiological weapons. The Committee also began active consideration of a Comprehensive Program on Disarmament and established an Ad Hoc Working Group on the subject to begin work on the program. Further meetings of the Ad Hoc Group of Scientific Experts to Consider International Cooperative Measures to Detect and Identify Seismic Events were held under CCD auspices.

This year, in addition to its regular annual report to the UN General Assembly, the CCD also submitted a Special Report to the UN special session on disarmament which presented a detailed history of multilateral disarmament negotiations over the last 16 years as well as brief summaries of members' views on priority disarmament issues considered by the CCD.

In his closing statement to the CCD on August 31, Ambassador Fisher reviewed the accomplishments of the Committee and its predecessor, the Eighteen Nation Disarmament Committee:

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8 / The 31 members of the CCD were Argentina, Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Egypt, Ethiopia, France, German Democratic Republic, Federal Republic of Germany, Hungary, India, Iran, Italy, Japan, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Pakistan, Peru, Poland, Romania, Sweden, U.S.S.R., United Kingdom, United States, Yugoslavia, and Zaire. France, although a member, did not participate in the work of the CCD, but has agreed to participate in the work of the new multilateral negotiating body, the CD.



"These accomplishments include the following: this body was responsible for the groundwork on the Limited Nuclear Test Ban; this body was also responsible for the Treaty on the Non-Proliferation of Nuclear Weapons, the Seabeds Arms Control Treaty, the Biological Weapons Convention, and the Environmental Modification Convention. . . .

"Each, in one degree or another, deals with the vital security interests of nations and, in the world in which we find ourselves, it is not surprising that each agreement was achieved only after the most painstaking effort to see that no nation's security would be impaired and that the agreement reached would endure.

". . . the United States is not discouraged. . . . It will continue to search for mutually acceptable solutions. For if man has the genius to create terrible weapons, he equally has the genius to create, with patience, safe-guarded ways to reduce them and, we all hope, eventually to eliminate them."

#### Comprehensive Test Ban and Seismic Cooperation

Informal meetings of the CCD on the subject of a comprehensive test ban (CTB) were held March 13-17 and August 7-11. During these meetings, the Committee received progress reports on the status of trilateral negotiations and listened to members' views on the question of a CTB. The United Kingdom, speaking on behalf of the partners in the negotiations (the United States, United Kingdom, and U.S.S.R.) reaffirmed the desire of the three delegations to conclude the trilateral talks at the earliest possible date and noted that there already was agreement that a CTB should ban all nuclear weapon test explosions in all environments and that a Protocol, integral to a CTB treaty, should prohibit nuclear explosions for peaceful purposes as well.

In 1976, the CCD established the Ad Hoc Group of Scientific Experts to Consider International Cooperative Measures to Detect and Identify Seismic Events. The Ad Hoc Group met in Geneva twice in 1978, February 27-March 10 and July 24-28, under the auspices of the CCD. On March 8, the Ad Hoc Group submitted its Final Report, which described how seismological science can be applied in a co-operative international effort to facilitate the verification of a CTB, outlined the requirements and established the feasibility of setting up an international seismic data exchange network, and recommended that an experimental exercise be conducted to test the overall functioning of the proposed system. The report was formally adopted by the CCD on March 21.

On May 2, the Committee took a decision to extend the mandate of the Ad Hoc Group to "continue its work by studying the scientific and methodological principles of a possible experimental test of a global network of seismological stations of the kind which might be established in the future for the international exchange of seismological data" under a CTB.

## Chemical Weapons

Informal meetings of the CCD on the subject of a comprehensive prohibition of chemical weapons were held April 3-7 and August 21-25. During these meetings, the Committee received progress reports on bilateral negotiations between the United States and U.S.S.R. on a joint chemical weapon (CW) initiative for presentation to the CCD. Speaking on behalf of the United States and U.S.S.R., the Soviet representative informed the Committee on May 9 that agreement in principle had been reached on "a number of questions in the area of the scope of the prohibition, procedures of declaring stocks of chemical weapons, measures to verify the obligations assumed under the future convention and others." "Some questions," he said, "in particular those in the area of verification, require further negotiations."

Addressing the Committee on August 25, Ambassador Fisher reaffirmed the May 9 joint statement on the status of the bilateral CW negotiations and emphasized the complexities involved in attempting to elaborate a complete and effective prohibition of CW:

"As members of the Committee will recognize from the CCD's previous discussions, the issues involved in complete and effective prohibition of chemical weapons are extremely complex. The political and technical issues involved are directly linked and thus must be dealt with at the same time. The development of an adequately verifiable disarmament measure which is designed to eliminate an entire class of weapons from the arsenals of states and which also affects one of the major industries in many countries is a task which requires great care.

"Aware of the interest of many states in the earliest possible resolution of the problem of the prohibition of chemical weapons, the two sides will exert additional efforts in order to complete the elaboration of a joint initiative on such an important and complex question as soon as possible."

## New Weapons of Mass Destruction

The question of the prohibition of new types of weapons of mass destruction was considered by the CCD this year in informal meetings with the participation of experts March 28-31 and August 14-18. In his closing statement for the spring session of the CCD on May 11, Ambassador Fisher reiterated the long-standing U.S. position:

". . . The United States has stated on a number of occasions that we believe the most effective approach to preclude the threat of potential new weapons of mass destruction is by negotiating individual agreements on specific new types of such weapons as they are identified.

"If we deal in a loose, even vague, manner with principles not currently understood or relationships among known principles that have not yet been conceived,

we would ultimately discover, I fear, that we merely create the illusion of having dealt with the potential problem of new weapons of mass destruction. Furthermore, if such an omnibus treaty were to be given the verification procedures necessary to make it more than an illusion, we believe it could threaten to obstruct scientific development in areas where it would neither be necessary nor advisable.

"In our view, the omnibus treaty approach would inevitably lead to continuous haggling over the designation of new weapons as new weapons of mass destruction."

During the debate, the U.S.S.R. introduced a draft treaty aimed at prohibiting the "nuclear neutron weapon," which the Soviets and their allies characterized, inter alia, as an "inhuman" and "barbaric" new weapon of mass destruction. The United States rejected both the Soviet draft treaty and its categorization of the reduced-blast, enhanced-radiation warhead as a new type of weapon of mass destruction.

In a March 9 statement emphatically rejecting the Soviet draft treaty, Ambassador Fisher accused the U.S.S.R. of engaging in a "propaganda campaign" which focused on only a single element of the dangerous confrontation of conventional and nuclear forces in Europe, and of attempting to divert the CCD's attention from serious efforts to develop arms control agreements that would contribute to international security. He also pointed out that the reduced-blast, enhanced-radiation warhead is not a new type of weapon of mass destruction but rather a nuclear weapon--and, as such, one of the four types of weapons of mass destruction designated by the UN Commission for Conventional Armaments in 1948. 9/

Responding with "plain talk" to the Soviet charge that such weapons would be particularly "inhuman" and "barbaric", Ambassador Fisher stated:

". . . I would accept these terms, but apply them to all devices designed to extinguish human life, particularly nuclear weapons. If it were to turn out that we were unable to conduct the business of this world without resorting to these horrible nuclear arsenals, would not we, rather than the weapons we employed, be barbaric?

"It cannot be denied that the reduced-blast, enhanced-radiation weapon would kill in horrible ways and carry the

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9 / Established by the Security Council in Feb. 1947, the Commission had the same membership as the Council. In a resolution adopted Aug. 12, 1948, the Commission said that "weapons of mass destruction should be defined to include atomic explosive weapons, radioactive material weapons, lethal chemical and biological weapons, and any weapons developed in the future which have characteristics comparable in destructive effect to those of the atomic bomb or other weapons mentioned above." The Commission held its last meeting in Apr. 1950 and was dissolved in Feb. 1952.



risk of genetic damage for those who survived exposure. But so would all nuclear weapons, some of them far more massive and indiscriminate than the reduced-blast, enhanced-radiation weapon. We have heard the Soviet representative and some other representatives speak of the inhumanity and barbarity of the neutron bomb. But I fear that we would wait in vain to hear them speak of the inhumanity and barbarity of the nuclear weapons in the Soviet arsenal, some of which are as much as 20,000 times--I repeat 20,000 times--more powerful."

Ambassador Fisher reaffirmed the U.S. commitment to seeking balanced arrangements aimed at reducing the arms race, especially the competition in the field of nuclear weapons, but rejected the Soviet proposal as an attempt to divert attention from the important task of developing disarmament measures that would truly contribute to international security.

### Comprehensive Program for Disarmament

In March 1978, the CCD established an Ad Hoc Working Group to Discuss and Elaborate a Comprehensive Program for Disarmament. Three meetings of the Ad Hoc Group were held in 1978 devoted exclusively to the consideration of procedural and organizational matters. It was agreed informally that substantive work on the Program would be deferred pending UN Disarmament Commission (UNDC) consideration of the elements of such a program (see p. 32 ).

## GENERAL ASSEMBLY

### Special Session Devoted to Disarmament

The United Nations special session devoted to disarmament, the 10th special session of the General Assembly, afforded the most comprehensive and sustained international dialogue of the post-war period on arms control and disarmament issues.

All member states of the United Nations, and a number of observers, participated in this special session held from May 23 to June 30, 1978. Hundreds of representatives of nongovernmental organizations observed the special session. They held their own series of seminars throughout the session and were allowed to address the Assembly by agreement on a day specifically designated for them.

At its conclusion, a final document <sup>10</sup>/setting forth goals and priorities for disarmament negotiations was adopted by consensus. Despite reservations expressed by some nations, including the United States, on certain aspects of the language, this final document represented a significant achievement in the field of disarmament. For the first time in history, the nations of the world agreed upon a single declaration on the status and future of international efforts to bring an end to worldwide arms competition.

The special session was originally an initiative of non-aligned states whose principal objective in pressing for such a conference was to create a greater impetus for arms control and disarmament efforts and, specifically, to develop an agenda for negotiations. A series of five sessions of a 54-state Preparatory Committee, established by the General Assembly in 1976, made the necessary preliminary arrangements for the session, such as drawing up an agenda and beginning work on a draft of the final document.

Vice President Mondale delivered the principal U.S. policy statement to the special session on May 24.11/ It contained a number of initiatives and proposals designed to contribute to national and international measures to promote peace and stability. The Vice President announced that U.S. technical assistance in the form of equipment and supporting personnel would be made available to states to further verification techniques and other stabilizing measures as part of regional arms control efforts. He proposed the establishment of a United Nations peacekeeping reserve force, comprised of national contingents trained in UN peacekeeping methods, to be drawn upon in the event the UN Security Council determined a need to establish a UN force. He also announced President Carter's intention to seek Congressional approval for an expanded program of U.S. assistance to the peaceful nuclear programs of those developing nations that support non-proliferation.

While the session was still in progress, President Carter ordered a review of the U.S. position on the question of security assurances to non-nuclear-weapon states. As a result of this review, on June 12, Secretary of State Vance announced the President's decision that:

"The United States will not use nuclear weapons against any non-nuclear-weapon state party to the Non-Proliferation Treaty or any comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the United States, its territories or armed forces, or its allies, by such a state allied to a nuclear-weapon state in carrying out or sustaining an attack."

The final document of the special session devoted to disarmament established a set of priorities for the subject of disarmament negotiations--"nuclear weapons; other weapons of mass destruction, including chemical weapons; conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects; and reduction of armed forces."

In accordance with these priorities, the final document called upon the United States and the Soviet Union to conclude the SALT II and comprehensive nuclear test ban agreements at the earliest possible date, and set forth a framework for further negotiations to control and eventually eliminate nuclear weapons. It urged the conclusion of a chemical weapons prohibition and a convention prohibiting the development, production, stockpiling and use of

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11/ See Appendix I, p. 287, for complete text of statement.



radiological weapons. It further called for consultations among major arms suppliers and recipient countries on the limitation of all types of international transfer of conventional weapons--the first specific international endorsement of the concept of restraint in this area.

Another important achievement of the special session was the review of current multilateral machinery for negotiation and deliberation on arms control and disarmament measures. It was decided that the First Committee of the United Nations General Assembly would in the future deal only with disarmament and related international security questions. The UN Disarmament Commission, which had not met since 1965, was restructured as a deliberative body subordinate to the UN General Assembly and consisting of all UN members.

It was also agreed the principal forum for multilateral disarmament negotiations would be the Committee on Disarmament (CD), succeeding the Conference of the Committee on Disarmament (CCD). Agreement was reached that the CD would have the same members as the CCD, with the addition of several non-nuclear-weapon states whose total representation was set at 32 to 35 members--membership in the CD is open to all the nuclear-weapon states. <sup>12/</sup> In accordance with the established procedures of previous multilateral negotiating bodies, the CD will reach all its decisions on the basis of consensus, and will continue to be an autonomous entity linked to the United Nations by the Secretary General's personal representative, who will serve as Secretary of the Committee. Chairmanship of the CD will rotate on a monthly basis among all CD members, departing from the established practice of a U.S. and Soviet cochairmanship.

### 33rd Regular Session

The 33rd General Assembly had 15 disarmament items on its agenda which were considered together by the First Committee. In addition it considered two disarmament items individually--questions concerning review of the implementation of recommendations of the disarmament special session and the strengthening of guarantees of the security of non-nuclear states. A closely related question--the strengthening of international security--was also considered in the First Committee and is discussed in the section, "General Political Problems" (see p. 60).

At its 33rd session, the General Assembly adopted 40 resolutions on disarmament, as compared with 24 disarmament resolutions adopted at the 32nd session. The increase in the number of resolutions adopted was attributable to the special session devoted to disarmament and its continuing influence. Of the 40 resolutions, 15 dealt

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<sup>12/</sup> The members of the CD are the nuclear-weapon states and the following 35 states: Algeria, Argentina, Australia, Belgium, Brazil, Bulgaria, Burma, Canada, Cuba, Czechoslovakia, Egypt, Ethiopia, German Democratic Republic, Federal Republic of Germany, Hungary, India, Indonesia, Iran, Italy, Japan, Kenya, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Pakistan, Peru, Poland, Romania, Sri Lanka, Sweden, Venezuela, Yugoslavia, and Zaire.

with nuclear issues, including nuclear testing, SALT, nuclear-weapons-free zones, non-proliferation, and nuclear non-use assurances. Other resolutions were adopted on such priority issues as chemical weapons, new types of weapons of mass destruction, regional disarmament, and measures to implement the recommendations of the disarmament special session. In addition, resolutions were adopted regarding the forthcoming review conferences on the Non-Proliferation and Biological Warfare Conventions.

### Second Non-Proliferation Treaty Review Conference<sup>13/</sup>

On November 24, the United Kingdom, on behalf of the 32 sponsors, introduced a draft resolution which, *inter alia*, (1) recalled that in the final document of the first Review Conference of Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPTRC), held in 1975, a majority of the states parties had proposed that a second NPTRC be convened in 1980, (2) noted that a preparatory committee had been formed of parties to the treaty serving on the IAEA Board of Governors or on the Committee on Disarmament, and (3) requested the Secretary General to provide the necessary assistance for the 2nd Review Conference which is to be convened in 1980.

The First Committee approved the draft resolution on December 1 by a vote of 74 (U.S.) to 1, with 12 abstentions, and the General Assembly adopted it on December 14 by a recorded vote of 122 (U.S.) to 1 (Albania), with 16 abstentions. (Resolution 33/57.)

### Mass Destruction Weapons

Two draft resolutions on the question of prohibition of new types of weapons of mass destruction and new systems of such weapons were introduced in the First Committee. In dealing with this subject the Assembly had before it the report of the CCD (see p. 28).

The first draft resolution, introduced November 24 by the United Kingdom (after attempts at an agreed joint United Kingdom-U.S.S.R. draft had failed) and sponsored by 10 states, requested the Committee on Disarmament to pursue effective measures for preventing the emergence of new types of weapons of mass destruction based on new scientific principles and achievements and preparation of specific agreements on individual types of weapons which may be identified. The resolution was approved by the First Committee on November 29 by a vote of 94 (U.S.) to 0, with 25 abstentions.

The second draft resolution was introduced by the German Democratic Republic, eventually sponsored by seven states, this draft, like earlier resolutions sponsored by the U.S.S.R., requested that the Committee on Disarmament continue negotiations toward an agreement banning new types of weapons of mass destruction. It was approved by the First Committee on November 29 by a vote of 95 to 0,

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<sup>13/</sup> Treaty on the Non-Proliferation of Nuclear Weapons done at Washington, London, and Moscow, July 1, 1968; entered into force March 5, 1970. As of December 31, 1978, 106 countries were parties to the treaty.

with 27 abstentions (U.S.).

Both draft resolutions were subsequently adopted by the General Assembly on December 14. The U.K. draft resolution was adopted by a recorded vote of 117 (France, U.K., U.S.) to 0, with 24 abstentions (U.S.S.R.) as resolution 33/66 A. The second draft resolution was adopted by a recorded vote of 118 (U.S.S.R.) to 0, with 24 abstentions (France, U.K., U.S.). (Resolution 33/66 B.) China did not participate in the votes.

### Comprehensive Test Ban

On November 16, New Zealand introduced a draft resolution, ultimately sponsored by 22 states. The draft resolution urged the three negotiating nuclear-weapon states to expedite their negotiations with a view to bring them to a positive conclusion and to endeavor to transmit the results for consideration by the CD before the beginning of its 1979 session, and requested the CD to take up immediately the agreed text resulting from the negotiations with a view to submitting a draft treaty to a resumed 33rd session of the General Assembly. The First Committee approved the draft resolution on November 30 by a rollcall vote of 122 (U.S.S.R., U.K., U.S.) to 1 (China), with 6 abstentions (France), and the Assembly adopted it on December 14 by a rollcall vote of 134 (U.S.S.R., U.K., U.S.) to 1 (China), with 5 abstentions (France). (Resolution 33/60.) In explaining the U.S. vote in First Committee, Ambassador Fisher stated that:

"... we are, in fact, using our utmost endeavors to conclude the trilateral negotiations as soon as possible. . . . I am sorry to say that it does not appear to be realistic to anticipate that we will be able to do so by the date specified in the resolution, notwithstanding these best utmost endeavors."

On October 27, India introduced a draft resolution, ultimately sponsored by 33 states. The resolution, as revised, called upon all states, in particular all nuclear-weapon states, to refrain from conducting any testing of nuclear weapons and other nuclear explosive devices. The First Committee approved the resolution on November 27 by a recorded vote of 89 (U.S.S.R.) to 2 (China, France), with 9 abstentions (U.K., U.S.), and the Assembly adopted it on December 14 by a recorded vote of 130 (U.S.S.R.) to 2 (China, France), with 8 abstentions (U.K., U.S.). (Resolution 33/71 C.)

In explaining the U.S. vote in First Committee, Ambassador Fisher stated that:

"We have strongly and consistently held the view that a comprehensive test ban . . . must be based on adequate measures of verification. At this moment, we are engaged in the detailed and technically complex process of elaborating such measures. . . . But an immediate cessation of nuclear testing under a moratorium could seriously complicate these efforts. Therefore, while we understand and sympathize with the motivation of those who call for a moratorium, we believe the surest way of arriving at our goal--that is, the earliest

possible achievement of a comprehensive test ban that could truly promote confidence among the parties--is through the negotiations now being carried on at Geneva . . . ."

### Nuclear-Weapon-Free Zones

The Assembly adopted five resolutions with regard to the creation of nuclear-weapon-free zones in various parts of the globe.

Protocols I and II of the Treaty of Tlatelolco. The Treaty of Tlatelolco 14/and its related protocols provide for a nuclear-weapon-free zone in Latin America. Protocol I contains an undertaking by non-Latin American states which administer territories within the zone not to store or deploy nuclear weapons within those territories. Of the countries eligible, the United Kingdom and the Netherlands have adhered to Protocol I; the United States signed on May 26, 1977, but had not ratified by the end of 1978; and France had neither signed nor ratified by the end of 1978. Protocol II contains an undertaking by nuclear-weapon states not to contribute to any violations of the basic treaty, and not to use or threaten to use nuclear weapons against Latin American countries which are parties to the treaty. The United States, the United Kingdom, France, and China are parties to Protocol II, while the Soviet Union has signed, it has not yet ratified it.

On November 28 Mexico introduced, on behalf of 22 Latin American and Caribbean states, two draft resolutions dealing with these Protocols. The first invited the United States to ratify Protocol I and welcomed the declaration made by the French President regarding its adherence to the Protocol. The First Committee and the Assembly adopted the resolution by consensus, respectively on November 28 and December 14. (Resolution 33/58.)

The second draft resolution noted the signature of Protocol II by the U.S.S.R. in 1978 and the U.S.S.R.'s announced intention to ratify the Protocol in the near future. The First Committee and the Assembly adopted the resolution by consensus, respectively on November 28 and December 14. (Resolution 33/61.)

Middle East Nuclear-Weapon-Free Zone. The question of a nuclear-weapon-free zone in the Middle East, on which the Assembly first adopted a resolution in 1974, has elicited a wide divergence of views among states of the region on acceptable procedures for the establishment of the proposed zone.

On November 21, Iran introduced a draft resolution, also sponsored by Bahrain, Egypt, Jordan, and Oman, that called for the establishment of a nuclear-weapon-free zone in the Middle East in terms substantially the same as in earlier resolutions and in

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<sup>14/</sup> Treaty for the Prohibition of Nuclear Weapons in Latin America, done at Tlatelolco (Mexico City) Feb. 14, 1967; entered into force Apr. 22, 1968.



the final document of the disarmament special session. The draft (1) urged "all parties directly concerned" to take "practical and urgent steps" to implement the nuclear-weapon-free zone proposal, including adherence to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons; (2) invited them "pending, and in the process of, the establishment of such a zone . . . to declare solemnly that they will refrain on a reciprocal basis from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices"; and (3) invited them to declare their support for the establishment of such a zone in the region and to deposit these declarations with the Security Council.

The First Committee approved the resolution on November 28 by a recorded vote of 119 (U.S.) to 0, with 1 abstention (Israel), and the Assembly adopted it on December 14 by a recorded vote of 138 (U.S.) to 0, with 1 abstention (Israel). (Resolution 33/64.)

South Asian Nuclear-Weapon-Free Zone. The question of a nuclear-weapon-free zone in South Asia, first considered by the Assembly in 1974, has occasioned contentious debates between India and Pakistan. While Pakistan has advocated a zone generally limited to the subcontinent (i.e., not including China), India questions whether the subcontinent is an appropriate or adequate region for the purpose.

On November 24 Pakistan introduced a draft resolution, similar to the one it had sponsored and the Assembly adopted in 1977, that (1) reaffirmed the Assembly's endorsement, in principle, of the concept of a nuclear-weapon-free zone in South Asia; (2) urged the States of South Asia and such other neighboring non-nuclear-weapon states as may be interested to continue to make all possible efforts to establish such a zone; and (3) called upon nuclear-weapon states to "respond positively" to the proposal.

The First Committee approved the resolution on November 29 by a rollcall vote of 93 (U.S.) to 2, with 31 abstentions, and the Assembly adopted it on December 14 by a rollcall vote of 94 (China, U.K., U.S.) to 2 (Bhutan, India), with 37 abstentions (France, U.S.S.R.). (Resolution 33/65.)

African Nuclear-Weapon-Free Zone. Several resolutions calling on all states to respect Africa as a nuclear-weapon-free zone have been adopted by the Assembly since 1961.

On November 24, Nigeria, on behalf of 41 primarily African sponsors, introduced a draft resolution on the "Implementation of the Declaration on the Denuclearization of Africa." As in the past, the resolution called on states to "consider and respect" Africa as a nuclear-weapon-free zone. In a break with previous resolutions, however, the draft resolution appealed to all states to refrain from any cooperation with South Africa in the nuclear field.

The First Committee approved the draft resolution on November 28 by a rollcall vote of 114 (China, U.S.S.R.) to 0, with 3 abstentions (France, U.K., U.S.), and the Assembly adopted it on December 14 by a rollcall vote of 136 (China, U.S.S.R.) to 0, with 3 abstentions (France, U.K., U.S.). (Resolution 33/63.)



In explaining the U.S. vote in First Committee, Ambassador Fisher stated that the U.S. abstained because the resolution "would rule out cooperation with South Africa in the safeguarded uses of nuclear energy for peaceful purposes." Further, he said:

"My delegation believes that continuation of such safeguarded cooperation will encourage adherence by South Africa to the Non-Proliferation Treaty and that the discontinuation of such safeguarded cooperation could serve to frustrate this objective. But, in conclusion, I would like to reaffirm our support for the broader objectives in principle of an African nuclear-weapon-free zone."

### Indian Ocean Peace Zone

In 1971 the General Assembly adopted a resolution declaring the Indian Ocean a "zone of peace." The following year the Assembly established an Ad Hoc Committee on the Indian Ocean <sup>15/</sup> to seek ways to implement the Indian Ocean Declaration, which has been reaffirmed subsequently in annual resolutions.

On November 13, on behalf of the Ad Hoc Committee, Sri Lanka introduced a draft resolution prepared by the Committee. In a preambular paragraph, the draft resolution expressed regret that the U.S.-Soviet talks regarding their military presence in the Indian Ocean were suspended. The operative language of the resolution, inter alia, (1) urged that the U.S.-Soviet talks be resumed without delay; (2) renewed its invitation to the great powers and other major maritime users of the Indian Ocean to cooperate with the Committee; and (3) decided to convene a meeting of the littoral and hinterland states of the Indian Ocean in New York, July 2-13, 1979, as the next step toward the convening of a conference on the Indian Ocean for the implementation of the Declaration of the Indian Ocean as a Zone of Peace.

The draft resolution was approved by First Committee on November 30 by a recorded vote of 112 (China, U.S.S.R.) to 0, with 14 abstentions (France, U.K., U.S.), and by the Assembly on December 14 by a recorded vote of 130 (China, U.S.S.R.) to 0, with 14 abstentions (France, U.K., U.S.). (Resolution 33/680.)

### Reduction of Military Budgets

In reports submitted to the United Nations in 1974 and 1976, groups of experts developed a standardized reporting instrument for the uniform, detailed, and comparable national reporting of military expenditures. This instrument could lay a basis for expenditure limitation agreements.

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<sup>15/</sup> Members during 1978 were Australia, Bangladesh, China, Ethiopia, Greece, India, Indonesia, Iran, Iraq, Japan, Kenya, Madagascar, Malaysia, Mauritius, Mozambique, Oman, Pakistan, Somalia, Sri Lanka, Tanzania, Yemen (Aden), Yemen (Sana), Zambia.

On November 24, Sweden introduced a draft resolution which was ultimately sponsored by 16 non-aligned and Western states. The draft resolution recognized that measurement of military expenditures is an important first objective in the move toward military expenditure reductions and requested the Secretary General, with the assistance of an ad hoc panel of experienced practitioners in the field of military budgeting (1) to carry out a practical test of the proposed reporting instrument with the voluntary cooperation of states from different regions and representing different budgeting and accounting systems, (2) to assess the results of the practical test, and (3) to develop recommendations for further refinement and implementation of the reporting instrument.

The First Committee approved the resolution on November 29 by a vote of 101 (U.S.) to 0, with 18 abstentions, and the Assembly adopted it on December 14 by a recorded vote of 121 (U.S.) to 0, with 18 abstentions (U.S.S.R.). (Resolution 33/67.)

#### Non-Use of Nuclear Weapons

On October 27 India submitted a draft resolution, ultimately sponsored by 34 states, which declared that the use of nuclear weapons will be a violation of the Charter of the United Nations and a crime against humanity and should therefore be prohibited, pending nuclear disarmament. The First Committee approved the draft resolution on November 27 by a vote of 84 to 16 (France, U.K., U.S.), with 18 abstentions (U.S.S.R.) and the Assembly adopted it on December 14 by a vote of 103 to 18 (France, U.K., U.S.), with 18 abstentions (U.S.S.R.). China did not participate in the voting. (Resolution 33/71 B.)

In explaining the U.S. vote in First Committee, Ambassador Fisher stated that: "The United States cannot find the basis for this draft resolution in the Charter . . . we cannot overlook the fact that in many areas of the world nuclear weapons are part of the security arrangements that have kept the peace."

#### Implementation of the Recommendations and Decisions of the Tenth Special Session of the General Assembly

On November 13 Mexico, on behalf of 13 sponsors, introduced a draft resolution which expressed the hope that all nuclear-weapon states would participate in the Committee on Disarmament and urgently called upon all states to make every effort to proceed along the road of binding and effective international agreements in the field of disarmament. The resolution was approved by consensus in the First Committee on November 27 and adopted by the General Assembly on December 14, also by consensus. (Resolution 33/71 F.)

#### Nuclear Disarmament Negotiations and Disarmament Machinery

On November 24 Yugoslavia, on behalf of 35 sponsors, introduced a draft resolution which, inter alia, (1) called upon nuclear-weapon states involved in negotiations on the conclusion of a treaty on the prohibition of all nuclear-weapon tests to submit the draft of such a treaty to the CD at the beginning of its 1979 session, (2) called upon the United States and Soviet Union to speed up negotiations

on the Strategic Arms Limitation Talks (SALT), (3) urged nuclear-weapon states to proceed to consultations on initiation of negotiations on the halting of the nuclear arms race and reduction of stockpiles of nuclear weapons, (4) invited the UNDC to consider on a regular basis the reports and other documents of the CD, and (5) decided to convene a second special session of the General Assembly devoted to disarmament in 1982. The draft resolution was approved by the First Committee on November 27 by a rollcall vote of 120 (China, U.S.S.R.) to 0, with 10 abstentions (France, U.S.). (The U.K., which was absent, subsequently stated it would have abstained.) The General Assembly adopted the resolution on December 14 by a rollcall vote of 129 (China, U.S.S.R.) to 0, with 13 abstentions (France, U.K., U.S.). (Resolution 33/71 H.)

### Disarmament Week

Following up the special session's call for the annual observance of "Disarmament Week," on October 23 Mongolia introduced a draft resolution which invited states to carry out, through conferences, meetings, and the like, effective measures to expose the dangers of the arms race and, *inter alia*, to increase public understanding of the provisions of the final document of the disarmament special session. Governments and nongovernmental organizations were also invited to undertake annual activities to promote the objectives of Disarmament Week and to inform the Secretary General of these activities. The resolution was approved by consensus in the First Committee on November 27 and again adopted, by consensus, by the General Assembly on December 14, 1978. (Resolution 33/71 D.)

### Disarmament and Development

The special session devoted to disarmament, pursuant to a recommendation of its Preparatory Committee endorsed by the 32nd General Assembly, called for the Secretary General to initiate an expert study on the relationship between disarmament and development.

On November 22 Sweden introduced a draft resolution, ultimately sponsored by 22 states including the United States, which noted with satisfaction that the study on the relationship between disarmament and development had been initiated and appealed for voluntary contributions to the Disarmament Project Fund. The draft resolution was approved by consensus by the First Committee on November 28 and by the Assembly on December 14, also by consensus. (Resolution 33/71 M.)

On November 21 France introduced a draft resolution, ultimately sponsored by 43 states, which requested the Secretary General to transmit for consideration by the group of experts on the relationship between disarmament and development the proposal to establish an international disarmament fund for development submitted by France to the disarmament special session. The draft resolution was approved by the First Committee on November 27 and by the Assembly on December 14, both by consensus. (Resolution 33/71 I.)

In explaining U.S. willingness to join in consensus adoption of the draft resolution, Ambassador Fisher in First Committee stated that:

"The United States shares with others the goal of reducing the resources devoted world-wide to military programs and shares the hope that agreed disarmament measures will make that possible. The United States also believes that such released resources should be used to augment those resources now available for development everywhere, particularly in developing countries.

"The disarmament fund for development proposal, as made at the special session on disarmament and in the draft resolution just adopted by consensus does not appear to be feasible at this time.

"The United States supports current efforts in the United Nations General Assembly to facilitate and encourage the meaningful reporting of military expenditures in comparable terms. But until that is accomplished, disarmament measures based on such figures would not be feasible or meaningful.

"In the final analysis, under present circumstances and until the work that I have indicated has been completed the very principle of fund contributions based on international comparisons of current military effort or inventories runs into the practically insoluble problem of achieving agreed universal criteria or thresholds for determining sufficiency in national military forces."

#### International Satellite Verification Agency

On November 3, France introduced a draft resolution, ultimately sponsored by 28 states, which called for the establishment of a UN agency to monitor compliance with arms control and disarmament agreements through the use of satellites. The proposal stemmed from a French initiative at the 10th special session which was not adopted at that time. The draft resolution was approved by the First Committee by a recorded vote of 107 (China, France, U.K.) to 0, with 18 abstentions (U.S.S.R., U.S.). In its final form, the resolution no longer called for the establishment of a monitoring agency. Instead the Secretary General was requested to seek views of member states on the creation of an agency and to initiate study on the technical, financial, and legal implications associated with the creation of such a body. The resolution was adopted by the General Assembly by a recorded vote of 121 (China, France, U.K.) to 0, with 18 abstentions (U.S.S.R., U.S.). (Resolution 33/71 J.) On November 28, in explaining the U.S. vote in First Committee, Ambassador Fisher said:

"... The project endorsed by the sponsors of this draft resolution is not feasible, necessary, or desirable in the foreseeable future. The cost of developing an international satellite verification agency would be enormous. There are more urgent national and international requirements which need funding.



"An agency created to verify arms-control agreements not yet in existence would be premature. There is a close relationship between the design of technical means of verification and the precise nature of the arms-limitation agreements they are to monitor. It would be a mistake to create costly capabilities which could prove ill-suited to their tasks. Decisions concerning priorities and analyses in the operation of such an agency would inevitably be affected by political considerations. Control over and access to its information could become highly controversial issues.

"In the light of all the considerations which I have set forth, the United States has considerable doubts as to the justification for the study which this draft resolution would authorize and it will therefore abstain in the vote on it."

### Strengthening the Security of Non-Nuclear Weapon States

On October 30 the U.S.S.R., which had requested the inclusion on the Assembly's agenda of the item "Conclusion of an International Convention on the Strengthening of Guarantees of the Security of Non-Nuclear States," introduced a draft resolution under this agenda item. The draft resolution, to which was appended a draft convention, was revised on November 30 and further revised December 1, and was ultimately sponsored by 19 states. The draft resolution requested the Committee on Disarmament to consider drafts of an international convention on strengthening of guarantees of the security of non-nuclear states submitted at the 33rd session of the General Assembly of the United Nations, as well as all proposals and suggestions on effective political and legal measures at the international level to assure the non-nuclear-weapon states against the use or threat of use of nuclear weapons.

The draft resolution was approved by First Committee on December 1 by a recorded vote of 117 (U.S.S.R., U.K., U.S.) to 2 (China), with 6 abstentions (France), and by the Assembly on December 14 by a recorded vote of 137 (U.S.S.R., U.K., U.S.) to 2 (China), with 4 abstentions (France). (Resolution 33/72 A.)

In explaining the U.S. vote in First Committee, December 4, Ambassador Fisher stated:

"The United States has voted for the draft resolution . . . and, as is implicit in its vote, is prepared to take the action called for by this draft resolution. In considering what international arrangements should be worked out, however, the United States stands by its proposal made on 17 November of this year. . . . In that proposal the United States stated that it considers that international cognizance of the Presidential statement enunciated by Secretary Vance last summer should be in the form of the Security Council taking formal note of that statement, as well as of the statements made by the other nuclear Powers to strengthen the confidence of non-nuclear-weapon states in their security against the use or threat of use of nuclear

weapons. As I indicated earlier in this Committee, the United States also believes that there are other possible international arrangements such as nuclear-weapon-free zones, that would enhance the security of non-nuclear-weapon states against the use or the threat of use of nuclear weapons."

On November 6 Pakistan submitted a competing draft resolution which it revised on November 30 and introduced December 1. The draft resolution, to which was also appended a draft convention, urged that efforts should be made to conclude effective arrangements to assure the non-nuclear-weapon states against the use or threat of use of nuclear weapons.

The draft resolution was approved by First Committee on December 1 by a vote of 108 to 0, with 12 abstentions, and by the Assembly on December 14 by a recorded vote of 124 to 0, with 14 abstentions (U.S.S.R., U.S.). (Resolution 33/72 B.)

In explaining the U.S. vote in First Committee, Ambassador Fisher stated that the question of security assurances had been dealt with in an appropriate way in the Soviet resolution adopted previously and that to adopt another resolution on this subject would be redundant and potentially confusing.

#### General and Complete Disarmament

Under the agenda item "General and Complete Disarmament," the Assembly adopted nine resolutions covering a wide range of issues. Among these were resolutions dealing with confidence-building measures, strategic arms limitation talks, prohibition of the production of fissionable material for weapons purposes, and disarmament and international security.

Confidence-Building Measures. On November 29 the Federal Republic of Germany introduced a draft resolution which was the second revision of a draft it had first introduced on November 24. This draft resolution (ultimately sponsored by 20 states, including the United States) recommended that all states consider on a regional basis arrangements for specific confidence-building measures, taking into account specific conditions and requirements of each region. The draft was approved in the First Committee on November 29 by a recorded vote of 119 (China, France, U.S.S.R., U.K., U.S.) to 0, with 6 abstentions, and adopted by the Assembly on December 16 by a recorded vote of 132 to 0, with 2 abstentions. (Resolution 33/91 B.)

Strategic Arms Limitation Talks (SALT). On November 22, Mexico introduced a resolution concerning SALT that was ultimately sponsored by 15 states. The draft resolution (1) regretted the lack of definitive results on SALT II, (2) reaffirmed the necessity that the two sides strive to implement the declarations of Presidents Carter and Brezhnev, (3) renewed the invitations to both Governments to adopt without delay all relevant measures to achieve that objective, and (4) reiterated the General Assembly's trust that the United States and U.S.S.R. would transmit to it in good time the text of the agreement.

The draft resolution was approved in First Committee on November 19 by a vote of 115 (U.S.) to 1, with 10 abstentions, and by the Assembly on December 16 by a recorded vote of 127 (France, U.K., U.S.) to 1 (Albania), with 10 abstentions (U.S.S.R.). (Resolution 33/91 C.) China did not participate in the vote.

In explaining the U.S. vote in First Committee, Ambassador Fisher stated that:

"We understand the strong interest of other members of the international community in the Strategic Arms Limitation Talks (SALT). Accordingly, we intend to provide appropriate information on a timely basis with respect to the SALT negotiations.

"I would also note that while we support the resolution we share some of the concerns of the Soviet delegation as regards its tone."

Study on Nuclear Weapons. On November 30 Sweden introduced a draft resolution, sponsored by 15 states, which, inter alia, (1) requested the Secretary General, with the assistance of qualified experts, to carry out a comprehensive study providing factual information on present nuclear arsenals, trends in the technological development of nuclear-weapon systems, the effects of their use and the implications for international security as well as for negotiations on disarmament; (2) recommended that the study, while aiming at being as comprehensive as possible, should be based on open material and such further information that states may wish to make available for the purpose of the study; (3) invited all governments to cooperate with the Secretary General so that the objectives of the study may be achieved; and (4) requested the Secretary General to submit the final report to the General Assembly at its 35th session.

The First Committee approved the draft resolution on November 30 by a vote of 89 to 0, with 19 abstentions and the Assembly adopted it on December 16 by a recorded vote of 117 to 0, with 21 abstentions (U.S.S.R., U.K., U.S.). (Resolution 33/91 D.) China did not participate in the votes.

In explaining the U.S. vote in First Committee, Ambassador Fisher questioned the wisdom and value of a new study on nuclear weapons. He stated that the United States found the terms of reference in the draft resolution inadequate in a number of respects. The United States considered that the most reasonable approach would be for the General Assembly to mandate the Secretary General, with the assistance of competent government experts, to develop terms of reference for a possible study of nuclear weapons and to report back to the General Assembly at its 34th session for consideration of the possibility of mandating a study along the lines proposed.

Regional Disarmament. Belgium introduced a draft resolution on November 24, also sponsored by eight other states, which called for a systematic study of all aspects of regional disarmament including the link between regional measures and general and complete disarmament. The study, to be undertaken by the Secretary General

with the assistance of a group of qualified governmental experts, would cover both nuclear and conventional arms and is to be completed in time to be considered by the 35th General Assembly. The resolution was approved on December 1 by the First Committee by a recorded vote of 79 (U.S.) to 0, with 40 abstentions (U.S.S.R.). The resolution was adopted by the General Assembly on December 16 by a recorded vote of 93 (U.S.) to 0, with 40 abstentions (U.S.S.R.). (Resolution 33/91 E.)

Non-Stationing of Nuclear Weapons. On November 28 the U.S.S.R. introduced a draft resolution, sponsored by 16 states which called upon all nuclear-weapon states to refrain from stationing nuclear weapons on the territories of states where there are no such weapons at present, and called upon all non-nuclear-weapon states which do not have nuclear weapons on their territory to refrain from any steps which would directly or indirectly result in the stationing of such weapons on their territories.

The draft resolution was approved by the First Committee on November 30 by a vote of 87 to 19 (U.S.), with 11 abstentions, and by the Assembly on December 16 by a recorded vote of 105 (U.S.S.R.) to 18 (France, U.K., U.S.), with 12 abstentions. (Resolution 33/91 F.) China did not participate in the votes.

In explaining the U.S. vote in First Committee, Ambassador Fisher stated that:

"In the view of the United States, the issue of stationing nuclear weapons in the territories of states concerns mutual security interests and cannot be properly dealt with through blanket and universal measures such as that contained in the draft resolution before us. Therefore it is the view of the United States that the issue should be addressed in the context of nuclear-weapon-free zones so that it can be decided on a case-by-case basis.

"If a non-nuclear-weapon state or group of states should decide they will not allow the stationing of nuclear weapons on their territories, the United States would, of course, respect such an action. In the context of the various alliance arrangements, particularly in the context of the various alliances to which the United States is a party, the United States believes that the stationing of United States nuclear weapons is an issue which must be decided between the United States and its allies in the context of bilateral and multilateral security arrangements.

"The United States would also like to point out that the verification of a global ban of the kind proposed by the draft resolution before us would require extremely elaborate measures of inspection of a kind which would be unlikely to be negotiable. In passing, it is interesting to note that the proposal now under consideration contains no provision for verification whatsoever."



Prohibition of the Production of Fissionable Material for Weapons Purposes. On November 29 Canada, on behalf of the 12 sponsors, introduced a resolution which requested the Committee on Disarmament to consider urgently the question of an adequately verified cessation and prohibition of the production of fissionable material for nuclear weapons and other nuclear explosive devices and to keep the General Assembly informed of the progress of that consideration.

On November 30 the First Committee adopted the draft resolution by a vote of 94 (U.S.) to 10, with 19 abstentions, and on December 16 the Assembly adopted it by a recorded vote of 108 (U.K., U.S.) to 10 (U.S.S.R.), with 16 abstentions (France). (Resolution 33/91 H.) China did not participate in the votes.

Disarmament and International Security. On November 29 Cyprus introduced a draft resolution which requested the Secretary General to expedite action for the continuation of the study of the relationship between disarmament and international security. On November 29 the First Committee approved, and on December 16 the Assembly adopted the draft resolution, both actions were by consensus. (Resolution 33/91 I.)

## OUTER SPACE

The Committee on the Peaceful Uses of Outer Space, its Scientific and Technical Subcommittee, and its Legal Subcommittee all met in 1978. The United States participated actively in their work as well as in the 33rd General Assembly's consideration of the Committee's report.<sup>16 /</sup>

### SCIENTIFIC AND TECHNICAL SUBCOMMITTEE

The Scientific and Technical Subcommittee held its 15th session in New York from February 5 to March 2. The issues pertaining to the remote sensing of the earth by satellites were discussed at length during the session. In addition, the Subcommittee focussed on plans for a UN Conference on the Peaceful Uses of Outer Space, the use of the geostationary orbit, and the possibility of establishing a working group on nuclear power sources in space. The Subcommittee also reviewed the UN program on space applications.

The issue of the extent to which data sensed by satellites could be disseminated to other countries was one of the principal ones addressed by the Subcommittee. The Subcommittee reviewed the studies submitted to it by the Secretary General on remote sensing as requested by the Committee on the Peaceful Uses of Outer Space at its 14th session.

The Subcommittee reiterated its previously expressed view that there was no scientific or technical basis for a sensed state not having timely and non-discriminatory access to data on its territory. However, members of the Subcommittee were not able to agree upon how remotely sensed data could be categorized into various specific classifications. The Subcommittee was also not able to reach agreement on a spatial photographic resolution below which no data should be disseminated, or, indeed, on the question of whether "spatial" resolution was a meaningful standard. In view of these developments, the Subcommittee noted that the work in this field initiated by the Committee on Space Research (COSPAR) should be continued and requested that the UN Secretariat submit a supplemental study to the Subcommittee for its consideration at the 16th session.

The Subcommittee considered a Canadian proposal to establish a working group of experts to examine the technical aspects of nuclear power sources in space. The U.S. delegation and some others supported

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<sup>16 /</sup> The 47 members of the Outer Space Committee in 1978 were Albania, Argentina, Australia, Austria, Belgium, Benin, Brazil, Bulgaria, Cameroon, Canada, Chad, Chile, Colombia, Czechoslovakia, Ecuador, Egypt, France, German Democratic Republic, Federal Republic of Germany, Hungary, India, Indonesia, Iran, Iraq, Italy, Japan, Kenya, Lebanon, Mexico, Mongolia, Morocco, Netherlands, Niger, Nigeria, Pakistan, Philippines, Poland, Romania, Sierra Leone, Sudan, Sweden, Turkey, U.S.S.R., United Kingdom, United States, Venezuela, and Yugoslavia.

the Canadian proposal, noting the value and utility of nuclear power sources in space. Because of widely divergent views on this question, the Subcommittee recommended that the Committee on the Peaceful Uses of Outer Space take up this issue at its next session.

The Subcommittee reviewed the report of the ad hoc working party on the question of convening a United Nations Conference on Outer Space Matters. The report, which was adopted by the Subcommittee, recommended that a conference be held not earlier than two or three years after endorsement by the 33rd General Assembly. It was agreed that the proposed Conference should focus upon matters of a global nature and the utilization of space technology, including regional and economic development, education, communication, resources management, and environmental protection. It was also agreed that the agenda should be broad enough to permit discussion of the scientific, technical, social, economic, and organizational aspects of the use of space technology and their interrelationship.

In reviewing its future role and work, the Subcommittee discussed such topics as space transport systems and recommended that this be added to its next agenda.

#### LEGAL SUBCOMMITTEE

The Legal Subcommittee held its 17th session in Geneva from March 13 to April 7. It considered the draft treaty relating to the moon; the elaboration of draft principles governing the use by states of artificial earth satellites for direct television broadcasting; legal implications of remote sensing of the earth from space; matters relating to the definition of and/or delimitation of outer space and outer space matters and questions relating to the geostationary orbit. The Subcommittee maintained its practice of setting up working groups for consideration of priority items of its agenda.

The working group on the treaty relating to the moon discussed various formulations on contentious issues and received a text of a tentative draft agreement submitted as a working paper by the Austrian delegation. Time did not permit the consideration of the working paper during the session, but it is hoped that it will facilitate the reaching of a consensus for a treaty.

The working group on direct television broadcasting from space did not reach agreement on draft principles governing the use of direct television broadcasting and in its report the Subcommittee recommended that the Committee on the Peaceful Uses of Outer Space should consider whether this undertaking could be concluded, or whether further progress could be achieved by the Committee at its next session.

The working group also gave detailed consideration on the text of a principle on "consultation and agreements between states" but no consensus was reached on the text of the principle. It was also not possible to reach agreement on preambular language regarding the issue of state sovereignty over broadcasts to its territory versus the issue of free dissemination of information across state borders. The U.S. delegation strongly supported the position that no state

should restrict the flow of information to its people.

The working group on remote sensing continued to work on draft principles on the remote sensing of the earth and its environment. The participants in the working group were not able to agree on the question of whether a "sensed" state has sovereignty over its natural resources and the right to control the dissemination of data and information on them obtained by another state. The U.S. delegate, Neil Hosenball, maintained the position that the prior consent of a state should not be required before another state could conduct remote sensing activities over its territory or disseminate the data acquired by such sensing.

There was a wide divergence of views on the issues of the geostationary orbit and the need to establish a definition and/or delimitation of outer space. Some delegations claimed that the geostationary orbit should not be included in any definition of outer space and should be under the sovereignty of the states below it. The United States opposed this argument, noting that the Outer Space Treaty of 1967 permitted the use of the geostationary orbit by any and all states. No consensus was reached on the definition of outer space.

The Subcommittee recommended that its 18th session, to be held in New York, should be held from March 12 to April 6, 1979.

#### OUTER SPACE COMMITTEE

The Committee on the Peaceful Uses of Outer Space held its 21st session in New York from June 26 to July 7. It reviewed the reports of its two subcommittees and approved their recommended programs for future work.

Speaking on June 27, the U.S. Representative, Gerald B. Helman, reviewed U.S. cooperative programs and activities in the exploration and use of space during the past year. He enunciated the U.S. position on key issues under consideration by the Committee. He noted that President Carter had reaffirmed that the United States is committed to the exploration and use of outer space by all nations for peaceful purposes and for the benefit of all mankind.

The Committee discussed the question of nuclear power sources in space and decided to request the Scientific and Technical Subcommittee to include in its agenda for the 16th session consideration of technical and safety measures relating to the use of nuclear power sources in space.

#### GENERAL ASSEMBLY

At the 33rd General Assembly outer space items were considered for the first time by the Special Political Committee rather than the First Committee. This was due to a realignment of functions assigning to the First Committee only political and security issues.

The Committee considered together two agenda items relating to outer space: "International Cooperation in the Peaceful Uses of



Outer Space" and "Preparation of an International Convention on Principles Governing the Use by States of Artificial Earth Satellites for Direct Television Broadcasting." The Committee debated both items at seven meetings from October 16-20, 1978. Representatives of 51 states took part in the debate, and one draft resolution was approved.

Speaking in the Special Political Committee on October 17, 1978, the U.S. Representative, Ambassador Richard W. Petree, reported on various U.S. outer space activities and commented on several outstanding issues before the Committee on the Peaceful Uses of Outer Space.

He said his delegation appreciated the work done by the Austrian delegation in the Legal Subcommittee in preparing a text of a treaty on the moon and other celestial bodies. He reaffirmed the U.S. position that any guidelines drawn up for broadcasters must not infringe upon the internationally recognized right to seek, receive, and impart information and ideas through any medium and regardless of frontiers. In attempting to develop a set of principles to guide remote sensing of the natural environment of the earth from space, the continuing evolution of technology and the question of availability of data should be borne in mind. The U.S. policy of open dissemination of the data from the LANDSAT program had greatly contributed to the rapid development of the application of space technology.

Ambassador Petree acknowledged that one of the most significant and difficult issues within the jurisdiction of the Outer Space Committee is that of nuclear power resources for space. He said:

"The safe use of such sources demands that precautions be taken against such hazards to humanity. The United States adheres to practices and procedures designed to safeguard against these hazards. We have found it possible to operate nuclear power sources in space in a manner that takes into account the various exigencies that might be expected to occur on launch, operation, or accidental re-entry."

He reiterated the U.S. position that no compelling legal or technical need or justification for a definition of outer space had yet been identified. The United States was, however, prepared to continue to participate in discussions on that issue.

His country saw no scientific or legal reason to support the contention that the geostationary orbit was subject to claims of national sovereignty and was convinced that it lay in outer space, and that its status was governed by the 1967 Outer Space Treaty.

The United States supported the holding of the second UN Conference on the Exploration and Peaceful Uses of Outer Space and concurred in its major objectives.

On October 19, Austria introduced a draft resolution entitled "International Cooperation in the Peaceful Uses of Outer Space." The draft was ultimately sponsored by 59 states, including the United States, and most other members of the Outer Space Committee.

Inter alia, the draft resolution recommended that the Legal Subcommittee should continue as matters of priority (1) its efforts to complete the elaboration of draft principles governing the use by states of artificial earth satellites for direct television broadcasting; (2) its detailed consideration of the legal implications of remote sensing of the earth from space, with the aim of formulating draft principles; (3) its efforts to complete the draft treaty relating to the moon; and (4) continue to discuss matters relating to the definition and/or delimitation of outer space and outer space activities, bearing in mind questions relating to the geostationary orbit. The resolution further recommended that the Scientific and Technical Subcommittee should pursue its work on matters before it, and approved the decision of the Outer Space Committee to request that the Scientific and Technical Subcommittee should create a working group of experts open to all its members to meet during its 16th session to participate in the consideration of technical aspects and safety measures relating to the use of nuclear power sources in outer space.

The Special Political Committee approved the draft resolution by consensus on October 20, and it was adopted without vote as resolution 33/16 by the Assembly in plenary on November 10.

LAW OF THE SEA

The seventh session of the Third United Nations Conference on the Law of the Sea met in Geneva from March 28 to May 19, 1978, and at a resumed session in New York from August 21 to September 15, 1978. Ambassador Elliot L. Richardson, Special Representative of the President for the Law of the Sea Conference, headed the U.S. delegation. Using the Informal Composite Negotiating Text (ICNT) issued at the end of the sixth session, the Conference continued to seek an acceptable consensus on a number of outstanding law of the sea issues.

The Geneva session was dominated by two events. The first was the rejection by the United States and other industrialized countries of Part XI (deep seabed mining) of the ICNT. The other related to whether Conference President Hamilton Shirley Amerasinghe (who had been replaced as Sri Lanka's UN Ambassador and was no longer an accredited member of the Sri Lankan delegation) should continue to preside over the Conference. Mr. Amerasinghe had been elected President of the Conference at its first session in 1973 and had served very ably in that capacity ever since.

The debate over the Presidency issue stalled the Conference during the first weeks of April 1978. Although Sri Lanka did not object to his continuation in office, many Latin American states opposed, maintaining as a matter of principle that the President of a diplomatic conference must be a member of a delegation. The Asian and African groups, however, strongly supported Mr. Amerasinghe. The issue was finally resolved when the Conference temporarily departed from its consensus procedures and by a procedural vote determined that Mr. Amerasinghe should continue to chair the Conference.

The United States had felt compelled at the conclusion of the sixth session (in 1977) to reject Part XI of the ICNT dealing with seabed mining. That text deviated substantially from the proposed compromise text which had been prepared under the leadership of Minister Jens Evensen of Norway, a Conference Vice Chairman. It did not provide the essential assurance that states would have access to seabed nodule resources on a non-discriminatory basis, subject to reasonable terms, and with security of tenure for miners. Specific problems with the text related to the financial conditions to be imposed on seabed miners, technology transfer as a precondition to access, excessive discretion in the hands of the International Seabed Authority, arbitrary production controls, and an unsatisfactory decision making procedure.

The substantive work of the Conference in 1978 continued under the auspices of the three principal committees previously established: Committee I, dealing with the principles and organization for the exploitation of the deep seabed; Committee II, dealing with issues of security and navigation, maritime zones, land-locked and geographically disadvantaged states (LL/GDS), and living resources; and Committee III, handling matters of marine pollution and marine

scientific research.

In Geneva the Conference also established seven negotiating groups (NG's) to work on the issues still to be resolved. The first three of these negotiating groups were formed to deal with deep seabed mining issues: NG-1 was charged with addressing the system of seabed mining exploration and exploitation and the question of resource policy; NG-2 was assigned the question of financial arrangements; and NG-3 was to handle the question of Organs of the Authority, their composition, powers, and functions. Negotiating groups 4, 6, and 7 dealt with Committee II issues: NG-4 dealt with the question of access of LL/GDS to the living resources of the exclusive economic zone (EEZ); NG-6 worked on the definition of the outer limits of the continental shelf and the question of payments and contributions with respect to shelf exploitation beyond 200 miles; and NG-7 dealt with delimitation of maritime boundaries between adjacent and opposite states and settlement of disputes thereon. NG-5 dealt with the question of settlement of disputes relating to the exercise of the sovereign rights of coastal states in their respective exclusive economic zones.

#### CONFERENCE COMMITTEE I (SEABED MINING)

There was increasing support during the seventh session for a compromise parallel system of seabed mining which would permit seabed mining by state and state-sponsored private entities on the one hand and by the International Seabed Authority through its operating arm--the Enterprise--on the other. The Group of 77 indicated that it could accept such a parallel system on an interim basis subject to a review conference some 20-25 years after seabed mining began, and provided that the Enterprise would receive adequate financing and have recourse to the requisite technology to allow it to actually engage in mining activity.

NG-1, under the Chairmanship of Frank Njenga (Kenya), focused on the conditions of access and resource policy questions. The group suggested a number of changes to the relevant ICNT text, including new provisions relating to the transfer of technology. Under this new text technology transfer would no longer be a condition of obtaining a seabed mining contract. Rather, if the seabed miner received a mining contract, he would undertake to transfer such technology to the Enterprise (if the Enterprise so requested) on negotiated fair and reasonable commercial terms and conditions. A new, and highly controversial, clause requiring technology transfer to developing countries in certain limited cases was also included despite continuing U.S. opposition. Changes were also obtained regarding the provision of a review conference to reassess the international seabed mining regime after 20 years. Automatic conversion to a unitary mining system was eliminated although provision was made for the possibility of a moratorium on new mining contracts if the review conference failed to reach agreement on seabed mining after 5 years.

Work also continued on devising an appropriate standard for the selection of applicants and on an appropriate resource policy including questions of production control and quota/anti-monopoly provisions. The United States and other industrialized countries



sought to clarify the right of access and to develop a workable selection procedure which included well-defined and objective criteria and which would provide qualified applicants (who would have to invest large sums of money) the necessary confidence of being awarded a contract.

NG-2, chaired by Ambassador Tommy Koh (Singapore), worked on financial arrangements which led to an increasing awareness of the complexities and realities in assessing appropriate royalties and fees. There was general recognition that the financial obligations to be imposed on seabed miners should allow for an adequate return on investment. Nevertheless, considerable negotiating effort was still viewed as necessary to determine the appropriate figures and assessment mechanisms.

NG-3, led by Committee I Chairman Paul Engo (Cameroon), devoted considerable effort and study to questions related to subsidiary organs to be established and to the composition and decision making procedure of the Seabed Authority's Governing Council. These issues remained largely unresolved and will require further attention and serious negotiation at the eighth session of the Conference.

#### CONFERENCE COMMITTEE II

A general consensus has already been achieved on a great majority of the Committee II issues including jurisdictional definitions and limitations, navigation and overflight, and coastal living and non-living resources. There is general support within the context of a comprehensive treaty for 12 mile territorial seas, 24 mile contiguous zones, a 200 mile exclusive economic zone and an archipelagic waters regime. During 1978 the Committee concentrated largely on defining the edge of the continental shelf where it extends beyond 200 miles and on delimitation of opposite and adjacent shelf and economic zone boundaries. Attention was also devoted to a number of the rights of LL/GDS in the economic zones of coastal states within the same region.

Extensive negotiations in NG-4 produced a suggested text which succeeded in satisfying a majority of the LL/GDS and coastal states involved. The package includes provisions which establish the right of access for LL/GDS to the surplus living resources of the economic zone of a coastal state within the same region. It specifies guidelines for the negotiations of such access between the LL/GDS and the coastal state and provides preferential treatment for developing LL/GDS states. Attempts on the part of some dissatisfied LL/GDS states to reopen these issues in New York were largely contained by a general recognition that rediscussion could unravel the considerable progress already made.

Discussions in NG-6 on the continental margin issue focused on three suggested formulas for defining the shelves' outer limit. One formula would limit coastal state continental shelf jurisdiction to 200 miles. Another would permit up to 300 miles if the shelf actually extended that far. The third, which had the widest support, including that of the United States, would define the shelf limit on the basis of ascertainable geological and geomorphological principles. Further consideration of these formulas will be required during the eighth session.

No resolution was found either for the very ticklish NG-7 issue of delimiting opposite and adjacent continental shelves or EEZs. For each state benefiting by a delimitation on the basis of equidistance, there is the opposite or adjacent state which supports delimitation on the basis of equitable principles.

### COMMITTEE III

Broad agreement was reached in Committee III on a large number of issues relating to the environment. Stunned by the Amoco Cadiz oil spill off the Brittany coast, Committee III members were generally receptive to U.S. proposals during the Geneva session to strengthen the ICNT anti-pollution provisions. These proposals foster creation of international tanker routing systems and establish notification requirements regarding incidents likely to cause marine pollution. They also spell out standards for national enactment of port entry requirements.

During the New York session, the United States also introduced an important package of amendments to the ICNT's marine scientific research provisions. These amendments, while recognizing coastal state consent requirements, clarified the right for marine scientific research to be undertaken in the exclusive economic zone and on the continental shelf under normal circumstances. They also made an important distinction between resource and non-resource related research. The U.S. amendments also underscored the value of broad dissemination of scientific information and would foster the rights of publication of scientific findings. The United States will push hard for the adoption of these necessary amendments during the eighth session.

### DISPUTE SETTLEMENT

The dispute settlement mechanisms for the law of the sea treaty, except those for boundary disputes, have already largely been agreed upon. The seventh session dealt principally with issues involving the application of dispute procedures to coastal state jurisdiction in the exclusive economic zone, the adoption of commercial arbitration procedures for settlement of seabed mining contract questions, and the extent to which compulsory dispute settlement procedures should be applicable to maritime boundary questions. On the EEZ issue a compromise solution was negotiated which balanced the demands of coastal states for non-review of discretionary jurisdictional powers, by providing recourse for the arbitrary exercise of such discretion. With regard to LL/GDS access to living resources in the exclusive economic zone, it was decided that conciliation should be applicable if coastal states arbitrarily refused to provide access to such surplus resources. A number of intermediate dispute settlement possibilities looking to the chronology of the dispute and alternative settlement procedures were also explored to see if they could produce compromise solutions regarding maritime boundary settlement. The United States will pursue the issue of commercial arbitration for seabed mining contract disputes at the eighth session.

OUTLOOK

Although considerable progress was made on a number of outstanding issues at the seventh session of the Conference, a general consensus on several important outstanding issues was still lacking. The Conference decided at the close of its seventh session to provide for an eighth session to begin in Geneva on March 19, 1979. The United States remains convinced that there are substantial benefits to be derived for all nations from a comprehensive treaty and will continue to pursue these negotiations with determination to reach agreement. Nevertheless, all negotiating groups will have to adopt realistic attitudes regarding the outstanding issues to conclude a treaty with provisions beneficial to all parties. One of the fundamental issues to be resolved is provision of assured access to deep seabed mining on reasonable terms.

## GENERAL POLITICAL PROBLEMS

### MEMBERSHIP

During 1978 Dominica and the Solomon Islands were admitted to the United Nations, bringing total membership by the end of the year to 151.

#### Solomon Islands

The Solomon Islands became independent on July 7, 1978, and on July 24, the Prime Minister of the Solomon Islands submitted his country's application for UN membership to the Secretary General.

The Security Council, in accordance with rule 59 of its provisional rules of procedure, on August 16 referred the application to its Committee on the Admission of New Members (a committee of the whole). On the same day the Committee unanimously recommended that the Solomon Islands be admitted. The next day, August 17, the Security Council unanimously adopted resolution 433 (1978) recommending that the General Assembly admit the Solomon Islands to UN membership. Ambassador Leonard said the United States was pleased to support the membership application of the Solomon Islands, and congratulated the leaders of the Solomon Islands and its former administering authority, Great Britain, for the smooth manner in which the transition to independence took place.

#### Dominica

The Commonwealth of Dominica became independent on November 3, 1978, and on November 21, the Prime Minister of Dominica submitted his country's application for UN membership to the Secretary General.

On December 5, the Security Council, in accordance with rule 59 of its provisional rules of procedure, referred the application to its Committee on the Admission of New Members which unanimously recommended that Dominica be admitted. On December 6, the Security Council unanimously adopted resolution 442 (1978) recommending the General Assembly admit the Commonwealth of Dominica to UN membership. The U.S. Representative, Ambassador Petree, said the United States had supported Dominica's application and was confident that the peaceful and responsible manner in which Dominica achieved independence demonstrated that Dominica was prepared to assume its responsibilities in the world.

#### General Assembly Action

On September 19, 1978, the opening day of its 33rd session, the General Assembly unanimously adopted resolution 33/1 admitting the Solomon Islands to UN membership. Speaking after the adoption of the resolution, Ambassador Young welcomed the Solomon Islands to the United Nations. He noted that the United States had supported their membership application out of a firm conviction that the



principles that had guided them to independence would continue to guide them in the world community's effort to establish a world of peace, justice, and prosperity.

On December 18, 1978, the General Assembly adopted by acclamation resolution 33/107 admitting the Commonwealth of Dominica to UN membership. Speaking after the vote, Ambassador Petree welcomed Dominica as the 151st member of the United Nations. He said he was confident that the dedication of the people of Dominica to the United Nations goals of peace, freedom and the welfare of mankind "will facilitate our joint task."

### PEACEKEEPING GUIDELINES

Since its establishment by the General Assembly in 1965, the 33-member Special Committee on Peacekeeping Operations<sup>17/</sup> has been engaged in a comprehensive review of all aspects of peacekeeping operations, having as one of its main objectives the drafting of guidelines for future operations. The Committee also considers questions related to the practical aspects of peacekeeping operations. The Committee's 13-member working group,<sup>18/</sup> which is charged with the responsibility of drafting proposals for consideration by the full Committee, did not meet in 1978.

### Peacekeeping Committee

The Special Peacekeeping Committee held its first meeting of the year on April 7. Guatemala and the German Democratic Republic were welcomed to the Committee in place of Brazil and Czechoslovakia. Nigeria (Chairman), Canada, Japan, Argentina (Vice Chairmen) and Egypt (Rapporteur) were elected as officers of the Committee. The Committee Chairman, Ambassador Harriman of Nigeria, drew the Committee's attention to resolution 32/106, in which the Assembly had extended the mandate of the Committee. The resolution had requested the Committee to complete agreed guidelines for conducting peacekeeping operations, and to devote attention to specific questions related to the practical implementation of such operations. The resolution also had requested member states to submit observations and suggestions on peacekeeping operations in all their aspects to the Secretary General by April 30, 1978, and had requested the

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<sup>17/</sup> Known as the Committee of 33, the members in 1978 were Afghanistan, Algeria, Argentina, Australia, Austria, Canada, Denmark, Egypt, El Salvador, Ethiopia, France, German Democratic Republic, Guatemala, Hungary, India, Iraq, Italy, Japan, Mauritania, Mexico, Netherlands, Nigeria, Pakistan, Poland, Romania, Sierra Leone, Spain, Thailand, U.S.S.R., United Kingdom, United States, Venezuela, and Yugoslavia.

<sup>18/</sup> Members were the six officers of the Committee (Chairman-Nigeria; Vice Chairmen-Argentina, Canada, Hungary, Japan; Rapporteur-Egypt), plus France, India, Mexico, Pakistan, U.S.S.R., United Kingdom, and United States.

Secretary General to prepare a compilation of such observations and suggestions for consideration by the Committee and its Working Group. At the suggestion of Ambassador Harriman, organization of work was deferred until mid-May, at which time the Committee hoped to have the comments from governments referred to in resolution 32/106. As its contribution, the United States decided to excerpt and summarize pertinent portions of the Secretary of State's 1978 Report to the President on Reform and Restructuring of the United Nations. These proposals dealt, inter alia, with strengthening the ability of the United Nations to conduct peacekeeping operations, creation of a UN peacekeeping reserve, and provision of training and technical equipment for peacekeeping units and observers.

The Committee met again on May 31, and completed election of its officers by electing Hungary to the Vice Chairman position vacated by Czechoslovakia. Mexico was appointed to replace Brazil on the Working Group. The Committee decided to defer its decision on organization of work until mid-July pending receipt of more government comments. At the suggestion of the U.S. Representative, Robert Rosenstock, the Chairman undertook to issue an appeal to governments to submit their comments no later than June 30. Those replies received were published on August 15 under the title "Comprehensive review of the whole question of peacekeeping operations in all their aspects: Report of the Secretary General." An addendum with additional replies was published on November 6.

### General Assembly

The Special Political Committee considered the agenda item at four meetings between November 28 and December 4. At the outset, the Chairman recalled that in resolution 32/106, the General Assembly had decided to include this item in the agenda of the 33rd session but to request the Special Peacekeeping Committee to report to the General Assembly at its 34th session. There was, therefore, no report available from the Committee at the present session. On November 28, the representative of the Federal Republic of Germany then introduced a draft resolution ultimately sponsored by 30 states, including the United States.

The U.S. Representative, John Hechinger, spoke in support of the resolution on November 30. He said that evolution of peacekeeping through the establishment of forces of UN member states was one of the major accomplishments of the United Nations; it was not surprising, given the complexity of the situations which developed, that the evolution had been a subject of controversy and that not all of the steps taken by the organization had met with unqualified success. However, the experience gained by the United Nations over the past 20 years had made those operations an indispensable tool for the maintenance of stability in important areas of the world. He paid tribute to the devotion and courage of the men serving in peacekeeping forces. He expressed gratification at the fact that many of the suggestions presented by the United States to the Committee were included in the draft resolution. He urged that more time and effort be devoted to developing the practical basis for peacekeeping operations, capitalizing on the experience already gained, and less on the efforts of the Committee to refine peacekeeping guidelines. He observed that the United States had borne far more than its share

of the financial burden of peacekeeping operations, and urged that the United Nations as a whole accept the financial responsibility for peacekeeping operations as a part of the concept of collective security. Finally, he praised the efforts of the Federal Republic of Germany delegation, which had led to broad support and sponsorship of the draft resolution. On December 4, the Special Political Committee approved the draft resolution by a rollcall vote of 88 (U.S.) to 12, with 10 abstentions. Resolution 33/114 was adopted in plenary session on December 18 by a vote of 106 (U.S.) to 11, with 19 abstentions.

The resolution itself appeals to member states to support UN peacekeeping operations, stresses the financial responsibilities of member states, asks for supplementary support in the areas of logistics and "any other peacekeeping potential," and urges that member states consider training their forces in peacekeeping operations and identifying to the Secretary General standby capacities which could be made available. The resolution also urges the Committee to expedite its work on agreed guidelines and practical measures and decides to include the item "Comprehensive review of the whole question of peacekeeping operations in all their aspects" in the provisional agenda for the 34th session of the General Assembly.

## STRENGTHENING THE ROLE OF THE UNITED NATIONS

### Efforts Toward Strengthening the United Nations

The Special Committee on the Charter of the United Nations and on Strengthening the Role of the Organization <sup>19</sup>/held its third session in New York from February 27 to March 24, 1978. The Committee established an open-ended working group which met in closed meetings to begin the preparation of a list of proposals on the peaceful settlement of disputes, identifying those that awakened special interest and on which general agreement may be possible. The Special Committee's report to the 33rd General Assembly contained reports of the Working Group and the summary records of the Committee meetings. It contained no recommendations or conclusions.

### General Assembly

The Sixth Committee considered the Special Committee's report at 13 meetings between October 13 and November 30; approximately 75 delegations participated in the debate on the Special Committee's report.

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<sup>19</sup>/ The 47 members of the Committee are Algeria, Argentina, Barbados, Belgium, Brazil, China, Colombia, Congo, Cyprus, Czechoslovakia, Ecuador, Egypt, El Salvador, Finland, France, German Democratic Republic, Federal Republic of Germany, Ghana, Greece, Guyana, India, Indonesia, Iran, Iraq, Italy, Japan, Kenya, Liberia, Mexico, Nepal, New Zealand, Nigeria, Pakistan, Philippines, Poland, Romania, Rwanda, Sierra Leone, Spain, Tunisia, Turkey, U.S.S.R., United Kingdom, United States, Venezuela, Yugoslavia, and Zambia. The Committee was established by the 30th General Assembly in 1975.

Speaking on October 20, the U.S. Representative in the Sixth Committee, Robert Rosenstock, said that the recent session of the Special Committee had been its most productive to date. There had been a generally constructive atmosphere and serious exchanges of views on specific subjects. The United States was pleased that a number of important proposals had been made on the peaceful settlement of disputes and that the Special Committee had been able to discuss them in some detail. In addition the Committee had been able to begin detailed examination of the question of rationalization of the existing procedures.

He stated that the Special Committee should begin consideration of the maintenance of international peace and security and said the United States expected to make proposals on that question at the appropriate time. The U.S. proposals would advocate greater use of the Security Council as an organ to assist in resolving disputes and to prevent crisis.

The U.S. Representative said that while the United States doubted whether a Special Committee with so broad a mandate was the best way to go about improving the functioning of the United Nations:

"... it would continue to cooperate with the Committee, make constructive proposals, and work toward the development of positive recommendations. The greatest care must be exercised, however, for efforts to speed up that delicate process were likely to lead to failure. The international community must not lose sight of the fact that the great strength of the Charter was that it had not been viewed as a static set of limits but rather as a flexible document which permitted evolutionary change. It must avoid doing anything which might maximize disagreement and, rather than making or discussing proposals which could involve change to the Charter, it must exhaust all the possibilities within the existing framework."

On November 27 the Philippines introduced a draft resolution sponsored by 48 states, which, *inter alia*, decided that the Special Committee should continue its work and requested it "to be mindful of the importance of reaching general agreement whenever it has significance for the outcome of its work." On November 30 the Sixth Committee approved the draft resolution by consensus.

On December 16, the General Assembly in plenary session, without a vote, adopted resolution 33/94, recommended to it by the Sixth Committee.

#### STRENGTHENING INTERNATIONAL SECURITY

In 1969 the Soviet Union proposed an agenda item for the General Assembly on "Strengthening international security." The Assembly adopted a declaration on this topic in 1970 that touched on the full range of UN activity, including peaceful settlement of disputes, strengthening peacekeeping procedures, disarmament, colonial-



ism, racial discrimination, self-determination, and closing the economic gap between developed and developing countries. Resolutions calling for the implementation of the declaration have been an annual feature of General Assembly sessions since 1971. Although the United States voted in favor of the initial declaration, it abstained or voted against subsequent resolutions under this item on the grounds that they contributed little to easing international tensions or strengthening security and merely restated the purposes and principles of the UN Charter in the form of General Assembly resolutions. Moreover, some resolutions contained elements unacceptable to the United States.

As in previous years, the item on strengthening security was referred to the First Committee of the 33rd General Assembly where it was considered, as the final item of business, at eight meetings, from December 4 to December 8. Four draft resolutions were approved.

The first, entitled "Non-interference in internal affairs of States," was introduced by Sri Lanka on December 7 and was ultimately sponsored by 37 states. It, inter alia, (1) once again urged all states to undertake measures to prevent any hostile or aggressive act or activity from taking place within their territory and directed against the sovereignty, territorial integrity and political independence of another state; and (2) reaffirmed that a declaration on non-interference in the internal affairs of states would be an important contribution to the further elaboration of the principles for strengthening equitable cooperation and friendly relations and mutual respect. The draft resolution was approved by the First Committee on December 8 by a rollcall vote of 110 to 0, with 13 abstentions (U.S.) and adopted as resolution 33/74 by the Assembly on December 15 by a rollcall vote of 128 (U.S.S.R.) to 0, with 14 abstentions (France, U.K., U.S.).

In explaining the U.S. position in First Committee, Ambassador Fisher stated that:

"The United States strongly supports the principles of the United Nations Charter regarding non-interference in the internal affairs of States. We believe that those principles can best be fulfilled by universal adherence to the principles of the Charter and the Declaration on Friendly Relations and Cooperation among States in accordance with the Charter, adopted by the General Assembly in 1970. We do not believe that the restatement of those principles, as involved in the present draft resolution, contributes significantly to the strengthening of international security. This is the reason my delegation abstained in the vote on this draft resolution."

The second draft resolution, entitled "Implementation of the Declaration on the Strengthening of International Security," was introduced by Sri Lanka on December 7 and was ultimately sponsored by 31 states. The operative paragraphs of the resolution, inter alia, (1) called upon all states to adhere fully, in international relations, to the purposes and principles of the Charter of the United Nations and to contribute effectively to the implementation and further elaboration of the provisions embodied in the Declaration on the Strengthening of International Security; (2) urged all the

members of the Security Council, especially its permanent members, to consider and undertake, as a matter of urgency, all the necessary measures for ensuring the implementation of UN decisions on the maintenance of international peace and security; (3) reaffirmed the legitimacy of the struggle of peoples under colonial and alien domination to achieve self-determination; (4) reaffirmed opposition to any threat or use of force, intervention, aggression, foreign occupation or measure of political and economic coercion which attempts to violate the sovereignty, territorial integrity, independence and security of states or their right freely to dispose of their natural resources; (5) made reference to the new international economic order; (6) expressed concern over the worsening of the critical situation in Zimbabwe; (7) made reference to the transformation of the Mediterranean into a zone of peace and the Declaration of the Indian Ocean as a Zone of Peace; and (8) considered that the dismantling of foreign military bases would contribute to the strengthening of international security.

The draft resolution was adopted by the First Committee on December 8 by a vote of 96 to 2 (U.S.), with 20 abstentions, and adopted as resolution 33/75 by the Assembly on December 15 by a rollcall vote of 119 (U.S.S.R.) to 2 (Israel, U.S.), with 19 abstentions (France, U.K.).

In explaining the U.S. vote in First Committee, Ambassador Fisher stated that:

"The United States believes that the United Nations Charter provides the best guidelines under which member states can take practical, concrete, and effective measures to strengthen international peace and security. The international community does not suffer from an insufficiency of resolutions, declarations, and other instruments on the subject of peace and security, nor can the problem be ascribed to ambiguities in the Charter. The problem lies in the failure of states--and also of certain political groups--to observe the existing rules and to make use of the Charter's machinery and procedures for the peaceful resolution of disputes.

"It is difficult to see how draft resolution A/C.1/33/L.60/Rev.1 can make any meaningful contribution to the strengthening of international security, for in some portions it merely restates principles and purposes in a potentially misleading way. This draft resolution contains many elements with which my delegation cannot agree."

The third draft resolution, entitled "Situation in Nicaragua," was introduced by Venezuela on December 8 and ultimately sponsored by 10 states. The operative paragraphs of the resolution, inter alia, (1) censured the repression of the civilian population of Nicaragua and the violation of the sovereignty of Costa Rica by Nicaraguan military aircraft; (2) demanded that the Nicaraguan authorities stop military and other activities that endanger the security of the region; (3) called upon all states to adopt the necessary measures . . . to discourage the recruitment and participation of their nationals as mercenaries in the conflict occurring in that country; and (4) urged the continuation of international

efforts to achieve a peaceful settlement of the internal conflict in Nicaragua.

The draft resolution was approved by the First Committee on December 8 by a rollcall vote of 68 to 2, with 34 abstentions (U.S.). It was adopted as resolution 33/76 by the Assembly on December 15, also by a rollcall vote of 85 (France, U.S.S.R., U.K.), to 2 (Nicaragua, Paraguay), with 45 abstentions (U.S.).

In explaining the U.S. vote in the First Committee, the U.S. Representative, Ms. Sally Shelton stated:

"The United States is deeply concerned over the situation in Nicaragua, and we share the preoccupations reflected in the draft resolution under consideration.

"Our concerns and our desire to help Nicaragua achieve peace, security, democracy, and freedom have been demonstrated by the effort in which we have been engaged, together with Guatemala and the Dominican Republic, in Nicaragua in connection with the international mediation effort supported by the Organization of American States. In this regard, had there been a separate vote on Bolivia's amendment, my Government would have supported it.

"However, it is precisely because we are engaged as mediators in a very delicate and important negotiation--an effort which is making clear progress--that we find it inappropriate to take a position on the draft resolution.

"As an indication of the progress achieved by the mediation effort, I have just learned--and I should like to announce it--that at this moment in Managua the principal opposing political groups are for the first time engaging in face-to-face negotiations, under the auspices of the international mediation effort, to achieve a national-consensus solution to the problems of Nicaragua and the modalities of achieving that solution.

"The United States is concerned that the presentation of this draft resolution and the vote on it may have an unsettling effect on the discussions and arrangements now under way to structure a plebiscite acceptable to all sides in Nicaragua's internal political crisis. In addition, we are concerned over the introduction of this matter into this forum, especially considering that the Inter-American Human Rights Commission report on the human rights situation in Nicaragua is now before the Organization of American States.

"Therefore, my Government will abstain on this draft resolution."

The draft resolution entitled "Declaration on the Preparation of Societies for Life in Peace" was introduced by Poland on December 4. The draft was ultimately sponsored by 28 states. There



were three parts to the draft which, inter alia, (1) solemnly invited all states to guide themselves in their activities by the recognition of the supreme importance and necessity of establishing, maintaining, and strengthening a just and durable peace for present and future generations and, in particular, to observe principles recommended to achieve such a durable peace; (2) described various actions to implement the principles; and (3) recommended that the governmental and non-governmental organizations concerned should initiate appropriate action toward the implementation of the Declaration.

The draft resolution was approved in the First Committee on December 8 by a vote of 100 to 0, with 1 (U.S.) abstention. It was adopted as resolution 33/73 by the Assembly on December 15 by a vote of 138 to 0, with 2 abstentions (Israel, U.S.).

In explanation of the vote in the First Committee, Ambassador Fisher said that the United States agreed with the moving spirit and intent behind the initiative, however there were defects in the draft which precluded U.S. support. The first stems from the role, responsibility, and limitations of the Government of the United States under its Constitution. The propagation of racism, racial discrimination, and apartheid was abhorrent to his country, but it was equally abhorrent to accept the proposition that a government was obliged, as a matter of "duty", to impose standards of thought and speech, even with respect to such condemnable principles. He said that because the United States holds freedom of speech and thought so precious that these evils would not prevail in his country.

His second major concern was the inadequate reference to a number of basic human rights. The right of individuals to be free from arbitrary arrest, exile or deprivation of nationality, to have security of person, to be free from arbitrary interference with privacy, and other basic rights are essential to a viable international society.

#### QUESTION OF THE COMPOSITION OF RELEVANT UN ORGANS

In 1977, 29 Asian states requested inclusion in the agenda of the 32nd General Assembly of an additional item entitled "Question of the composition of the relevant organs of the United Nations." The 32nd Assembly decided to set up a contact group consisting of two or three representatives of each regional group to meet intersessionally under the chairmanship of a representative of the Asian group to study the question. The deliberations of the contact group served as the basis for the 33rd General Assembly's consideration of the question.

The focus of interest was the geographic distribution of seats on the 25-member General Committee whose members are the President of the General Assembly, the 17 Vice Presidents of the General Assembly, and the Chairmen of the seven Main Committees of the Assembly. Since 1963 the allocation had been as follows: Vice Presidents--7 from Africa and Asia, 1 from Eastern Europe, 3 from Latin America, 2 from Western Europe and Others, 5 Permanent Members of the Security Council. (The election of the General



Assembly President reduced by one the number of Vice Presidencies allocated to the region from which the President is elected); Main Committee--3 from Africa and Asia, 1 from Eastern Europe, 1 from Latin America, 1 from Western Europe and Others. The seventh Chairmanship rotates every alternate year between the Western European Group and the Latin American Group.

On September 22, 1978, the 33rd General Assembly, on the recommendation of the General Committee, decided to include in its agenda the item on the composition of the relevant UN organs and to allocate it to the Special Political Committee. The Special Political Committee considered the item at four meetings between November 8 and December 8. There was little discussion of the item in formal committee meetings. Most of the discussion took place in consultations in the hope that consensus would be reached on the final recommendation.

On November 8, India, as Chairman of the contact group, reported on the results of the group's deliberations. It was reported that the group had met throughout 1978 and that there had been general agreement that the Asian and African Groups were underrepresented in the General Committee. The contact group had decided that the Asian and African Groups should have separate representation, and that the existing distribution of the seven Chairmanships should be retained for the time being, but that the number of Vice Presidencies should be increased from 17 to 21 in order to give two additional Vice Presidencies each to the African and Asian Groups. The Asian Group had agreed to these proposals and had prepared a draft resolution reflecting them. The African Group had been unable to discuss the question in detail. The Indian Representative pointed out that the draft represented all that could be achieved at the present time and said it would be wise to accept it. Iran, as Chairman of the Asian Group, introduced the draft resolution at the same meeting.

On November 14, Chad, on behalf of the African Group, proposed amendments to the draft resolution. The effect of the amendments would be to increase the number of Chairmanships allocated to the African Group and decrease the number allocated to the Western European and Others Group. The Committee approved the draft amendments by a vote of 86 to 27 (U.S.), with 2 abstentions.

The U.S. Representative, Mrs. Angelique Stahl, said that the United States had voted against the draft amendments since it believed that distribution of seats in UN organs should be based on equitable geographical representation for each region and not on the percentage of members from a given region. She added that her government felt deeply that a matter of such importance should have been decided by consensus, or at least with the broadest possible agreement.

At the same meeting, Norway on behalf of the Western States introduced a draft decision which would have extended the mandate of the contact group for another year and would have that group report to the 34th General Assembly. That report would serve as the basis for consideration and the final decision on the item at the 34th General Assembly. The Committee rejected the proposed decision in a rollcall vote of 31 (U.S.) to 83, with 2 abstentions.

Norway then proposed a sub-amendment to the Chadian amendments whereby the Western States would have a second chairmanship every fourth year. The Committee rejected this sub-amendment in a roll-call vote of 22 (U.S.) to 68, with 30 abstentions. The Committee then approved the draft resolution as amended by a vote of 83 to 29 (U.S.), with 2 abstentions.

On December 19 in plenary, the Norwegian Representative, in his capacity as Chairman of the Western European and Others Group, recalled his statement on December 18 and hoped the following proposal could form the basis of a consensus: that the draft resolution be accepted with the additional change that the Western European and Others Group be given another General Assembly Vice Presidency. He also said he understood that some other Groups had suggested that the item be considered at the 35th Assembly rather than the 34th as the draft stated. He said if other Groups could accept these two points, the Western Group would join in a consensus. The spokesmen for the Asian Group (Iraq), the African Group (Congo), and Latin American Group (El Salvador) said their respective groups could support such amendments and join in a consensus; the Eastern European Group spokesman (German Democratic Republic) said that group could not support the amendments. Norway regretted the lack of consensus, noting that his proposals were intended to be the basis of a consensus and a pre-condition for Western Group support. Accordingly, the proposals were withdrawn.

The Assembly then adopted by a rollcall vote of 105 to 29 (U.S.), with 3 abstentions, the draft resolution recommended by the Special Political Committee. (Resolution 33/138.)

#### QUESTIONS RELATING TO INFORMATION

Reflecting a general intensification of interest among the UN membership, especially among the developing countries, in information policies and international mass media matters during 1978, the Tunisian delegation, on behalf of the Group of 77, took the initiative to have the General Assembly consolidate for the first time all agenda items pertaining to information under a single heading, "Questions Relating to Information." This incorporated three separate sub-items: (a) "Cooperation and assistance in the application and improvement of national information and mass communication systems for social progress and development"; (b) the Draft Declaration on Freedom of Information and the Draft Convention on Freedom of Information; and (c) UN public information policies and activities. Consideration of these items, again at Tunisian (acting for the Group of 77) initiative, was transferred to the Special Political Committee from the Third Committee.

The Special Political Committee considered the items at eight meetings between November 29 and December 8. During debate on the items, the U.S. delegation, in cooperation with Western European and other interested states, forcefully pursued its main concern in the area of information, which was to insure that the principle of free flow of information was not compromised.

On December 7, Tunisia (on behalf of the Group of 77) introduced three draft resolutions. The United States was able to

join in consensus approval of the draft resolutions when, after negotiations with Tunisia and others, the principle of free flow of information was specifically recognized. The resolutions were adopted by the Assembly, also by consensus, in plenary on December 18.

The first, entitled "Cooperation and assistance in the application and improvement of national information and mass communications systems for social progress and development", inter alia, (1) called upon the Secretary General, in conjunction with UNESCO, to establish consultations on ways and means to assist developing countries in the field of communications and draw up plans for cooperative assistance programs; and (2) requested the UNESCO Director General to draw up a model plan for such cooperation and assistance, including the elaboration of a proposal for institutional arrangements to systematize collaborative consultation on communication development activities, needs and plans. (Resolution 33/115 A.)

The second resolution, "International relations in the sphere of information and mass communications", called for (1) need to establish a new, more just and effective world information and communication order, intended to strengthen international peace and understanding, and based on the free circulation and wider and better-balanced dissemination of information; and (2) requested the Secretary General to take the necessary measures to encourage, through the specialized agencies, especially UNESCO, cooperation and assistance conducive to strengthening the information and communications systems of the developing countries. (Resolution 33/115 B.)

In joining the consensus approval of this resolution in the Special Political Committee, the U.S. Representative, Mrs. Stahl, stated that "We have participated in this consensus because it represents an important step in defining the concept of a new information order and it establishes as its foundation stone and fundamental principle the free flow of information. . . . On that basis and that basis alone, we can accept this resolution."

The third resolution, 33/115 C, establishes a 41-member "Committee to Review United Nations Public Information Policies and Activities," and requests the President of the Assembly to appoint its membership on the basis of equitable geographic distribution. The Committee is to report to the 34th General Assembly on the policies and activities of "the public information services on the UN system, giving particular attention to activities in the economic and social sphere."

## SOUTHEAST ASIA

On November 1, the United States transmitted a letter to the Security Council expressing its concern not only over human rights abuses in Kampuchea, but also about hostilities between Kampuchean and Vietnamese military forces and the possibility of their escalation. Circulated by the Council, the letter addressed the "massive abuse of human rights in Kampuchea", and drew the attention of the Council to the threat to the peace and security of Southeast Asia posed by the continuing conflict between Kampuchea and Vietnam. It presented the U.S. view that the situation was

such that it was incumbent upon Security Council members, "especially responsible for the maintenance of international peace and security", to consider "how appropriately to deal with it." The following month, Vietnam launched an invasion of Kampuchea.



**PART II.**

**ECONOMIC,  
SOCIAL,  
SCIENTIFIC,  
AND HUMAN  
RIGHTS  
AFFAIRS**

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Under the UN Charter (articles 61 and 62), economic and social affairs are the responsibility of the Economic and Social Council (ECOSOC). The Charter requires ECOSOC to have subordinate commissions for economic, social and human rights matters (article 68). Through one of these commissions, ECOSOC exercises its important function of determining which nongovernmental organizations concerned in economic, social, humanitarian, and human rights affairs shall have official "consultative" status with the United Nations.

In the General Assembly, responsibility for the issues in ECOSOC's mandate is assigned to the Second Committee (Economic and Financial Committee) and the Third Committee (Social, Humanitarian and Cultural Committee).

Developing country dissatisfaction with ECOSOC because of its limited membership led to the creation by the General Assembly in 1964 of the UN Conference on Trade and Development (UNCTAD). UNCTAD's extensive activities on international economic issues are described in a separate section in Part II.

## ECONOMIC ACTIVITIES

### PROGRESS IN THE NORTH/SOUTH DIALOGUE

With regard to the North/South dialogue, 1978 can be described as a year "in process." While there were no landmarks of either success or failure, there was substantial movement in the areas of commodities and a general overview mechanism, as well as promising beginnings in the areas of energy and the formulation of a new International Development Strategy (IDS) for the 1980's.

In March, President Carter made his first major North/South address in Caracas, Venezuela, in which his theme was interdependence. He stated that global economic progress for the rest of the century depends equally on the economic revival of the developed countries and the realization of the potential for growth in developing countries. He spoke of five steps we need to take to achieve that potential together: increasing capital flows to LDC's; building a more fair and open trading system; moderating disruptive price movements in the world economy; developing and conserving energy sources; and strengthening the technological capacities of the developing world. U.S. policy echoed the President's theme of interdependence throughout 1978 with special emphasis on our shared responsibilities in the fields of energy, food, technology transfer, and price stability.

In many ways, 1978 could be called the "year of the COW." The General Assembly's Committee of the Whole (COW) had been created in December 1977 to serve as a forum to oversee the North/South dialogue. Its mandate was to discuss global economic issues, to monitor implementation of agreements reached in UN forums, and to facilitate and expedite agreement on outstanding issues. Discussions at its first session in May were reasonably useful, but it proved impossible to resolve basic differences in drafting a final report on transfer of real resources. In addition to substantive differences, there was a basic problem of interpreting the COW's mandate. The G-77 wanted the COW to be able to negotiate agreements, the United States and other OECD countries insisted that the COW should only "facilitate and expedite" agreements. Ambassador Young attempted to resolve these differences in Geneva at the summer ECOSOC, but without success.

The mandate issue came to a head during the September session, which as a consequence was unable to address even the unfinished report on transfer of real resources, not to speak of its own agenda. After intense negotiations, Chairman Jazairy offered an interpretive formulation to the effect that the COW "will negotiate with the view to . . . its achieving agreement on the resolution of fundamental or crucial issues underlying unresolved problems related to international economic cooperation"--a formulation much closer to the G-77 than to the Western position. Other Western countries were prepared to accept this language in the interest of overcoming existing basic differences, but the United States made clear that we could accept it only with an explanation to the effect



that we interpreted this to mean "to facilitate and expedite" agreements in appropriate forums. The result was a G-77 decision to suspend the session pending clarification by the General Assembly, accompanied by accusations of U.S. responsibility for the impasse. At the General Assembly, a formula was finally worked out under which the President of the General Assembly reiterated the Jazairy formulation of the COW's mandate and resolution 33/2 was adopted by consensus on October 19 regretting past divergences of view and stressing the need for the COW to make real progress on issues brought before it. At the end of 1978, nearly a year after its creation, the COW's worth as a forum for substantive North/South discussion remains unproven.

At the 33rd General Assembly, two major initiatives were set in motion through consensus resolutions: (1) agreement to convene a conference on New and Renewable Sources of Energy in 1981 (resolution 33/148); and (2) the creation of a Preparatory Committee to draft a new International Development Strategy for the 1980's. (Resolution 33/193.) These initiatives will be discussed in a separate section of this Chapter.

Discussions concerning the establishment of a Common Fund for Commodities continued to occupy a prominent place in the North/South dialogue in 1978. After extensive intergovernmental discussions and a series of three informal meetings hosted by UNCTAD Secretary General Gamani Corea, the Common Fund Negotiating Conference reconvened in November 1978. During that session the United States and other industrialized countries tabled a new proposal that included, for the first time, provision for direct capital contributions from governments to the Fund to help support international buffer stocking activities. Our proposal also provided for the creation of a "second window" facility in the Fund to finance certain nonstabilization activities, such as research and development for commodities of interest to the developing countries. The negotiating session concluded with a decision to reconvene the conference early in 1979. Major unresolved issues included the volume of direct contributions to the Fund, the terms of reference for both the buffer stock and "second window" facilities, and the Fund's decision-making process. Action on the Common Fund by the 33rd General Assembly was limited to endorsement of the decision to reconvene the conference and a request that all participating countries exert all the necessary efforts to reach agreement.

### THE INTERNATIONAL DEVELOPMENT STRATEGY

The failure of the 32nd General Assembly to set in motion preparations for a new International Development Strategy resulted in the deferral of the issue to the 33rd Assembly, at which two draft resolutions were introduced in the Second Committee on November 24; one by Tunisia on behalf of the G-77 and one by West Germany on behalf of the EC-9.

At the outset, all parties indicated that their positions were negotiable, and informal consultations on the two drafts were one of the main activities of the Second Committee in the final weeks of the 33rd Assembly. After extensive and at times intensive negotiations, the Committee came up with a consensus resolution

on December 18, which the United States considered to be a fair compromise of the various points of view. The draft was approved by consensus on that date and adopted without vote in plenary on January 29, 1979.

Procedurally, resolution 33/193 established a Preparatory Committee to draft a new strategy in time for adoption at the special session of the General Assembly in 1980. The Committee is open to all members and will report to the General Assembly through the ECOSOC. The Preparatory Committee has scheduled three substantive meetings for 1979 (April, June, and September) and as many as three for 1980, in the event that they are needed to finalize the strategy.

Substantively, the resolution catalogues various topics which the Committee should discuss, among others, in its deliberations. These include (1) food and agriculture; (2) employment; (3) infrastructure; (4) industrialization; (5) trade; (6) development assistance; (7) monetary affairs; (8) transfer of technology; (9) social development; (10) women and youth; (11) environment; (12) economic and technical cooperation among developing countries; and (13) special categories of developing countries.

#### SPECIAL ECONOMIC ASSISTANCE

A number of resolutions were adopted by the spring and summer ECOSOC sessions and the General Assembly dealing with economic assistance to various countries. In general, these resolutions called upon UN agencies, international financial institutions, and member countries to increase their economic assistance to specific countries because of the severe economic difficulties encountered in the respective countries for a variety of reasons. All of the resolutions were adopted without a vote.

The ECOSOC adopted resolutions on behalf of Zambia, Lesotho, Botswana, the Comoros, Sao Tome and Principe, Cape Verde, Guinea-Bissau, Djibouti, Seychelles, and the drought stricken areas of Ethiopia. (Resolutions 1978/46 to 54, and 1978/2.) On December 19 the General Assembly adopted, on the recommendation of the Second Committee, similar resolutions on assistance to the Comoros, Guinea-Bissau, Sao Tome and Principe, Mozambique, Cape Verde, Lesotho, Seychelles, Botswana, Zambia, and Djibouti. (Resolutions 33/123 to 33/132.)

Following approval of the Mozambique resolution by the Second Committee on December 6, the U.S. Representative, William J. Stibravy, made a statement noting that our legislative constraints regarding assistance to Mozambique prevented us from considering action at this time.

#### ECONOMIC COMMISSION FOR EUROPE

ECE was established in 1947 and is one of five regional economic commissions reporting to ECOSOC. It has 34 members--the European members of the United Nations plus the United States, Switzerland, and Canada. Other countries that are UN members (e.g., Japan, Israel) also participate in its work when matters of

particular concern to them are considered. As a UN organization composed largely of developed industrial nations, ECE concentrates on seeking solutions to common problems that confront modern industrial societies. The organization normally acts through consensus developed by the Eastern and Western caucuses.

ECE carries out its activities through 15 principal committees (Agricultural Problems; Chemical Industry; Coal; Electric Power; Gas, Housing, Building, and Planning; Inland Transport; Steel; Timber; Development of Trade; Water Problems; Conference of European Statisticians; Senior Economic Advisers; Senior Advisers on Environmental Problems; Senior Advisers on Science and Technology) and many subsidiary bodies which deal with specialized aspects of the programs of the principal committees. Still other parts of the Commission's work program are dealt with by special ad hoc groups working on such matters as energy, automation, and standardization.

ECE also convenes symposia, seminars, and conferences on topics of special interest to member governments and publishes the results for use by governments and by private specialists. In connection with such meetings, study tours are occasionally arranged in member countries.

The ECE Secretariat is headed by an Executive Secretary, Janez Stanovnik (Yugoslavia), and includes a number of outstanding experts who prepare and service the meetings of the Commission and its subsidiary bodies. The Secretariat also prepares many surveys, studies, and statistical compilations which are distributed to governments for their use.

ECE's terms of reference are broad and have been adapted to the changing character of its work. Its principal task when it was established was to facilitate the postwar economic reconstruction of Europe. Over the years ECE has evolved into a forum where East and West can consult and negotiate on common economic problems.

ECE's activities have taken on particular importance as a result of the Conference on Security and Cooperation in Europe (CSCE). The CSCE Final Act identified ECE as the implementing body for Basket II provisions.

The Commission's 33rd session was held April 11 to 22, 1978. Of particular importance was agreement to launch preparatory work for the possible convening of a high-level meeting on the environment. An ECE Secretariat proposal to establish a senior advisers group on energy was turned down due to differences of opinion over its relationship to consideration of an energy high-level meeting.

#### ECONOMIC AND SOCIAL COMMISSION FOR ASIA AND THE PACIFIC

Established in 1947, ESCAP's membership consists of 33 full members and 8 associate members. The region covers the huge area from Mongolia south to New Zealand and from Iran east to the South Pacific island nations. ESCAP has its headquarters in Bangkok, although some subsidiary bodies and other activities are in other Asian cities.



The Commission's 34th plenary session was held in Bangkok March 7-17, 1978, in an atmosphere of general harmony, with the tone of discussions proving largely constructive. Country statements reflected disappointment over the slow progress achieved in the North/South dialogue, with the Common Fund negotiations and protectionism receiving the greatest amount of attention. The first ESCAP extrabudgetary pledging conference netted U.S. \$5.5 million in convertible and nonconvertible currency. The increased role of the Pacific area in the ESCAP work program received wide support and was enhanced by representation from Fiji and Nauru.

Lengthy negotiation of a resolution on economic and social development for the 1980's and regional input for the new International Development Strategy resulted in a highly constructive text supporting economic growth with social justice and basic needs. Other resolutions adopted by the Commission, *inter alia*, (1) tasked the ESCAP Secretariat to coordinate with the UN Center for Human Settlements and UNEP to effect redeployment of staff and resources from the global level to ESCAP as a means to bring about greater regionalization of programs in the field of human settlements, (2) urged the ESCAP Secretariat to continue to develop a program of relevant activities for the Pacific area, including closer coordination with Pacific regional organizations and establishment of a permanent ESCAP liaison position in the Pacific, (3) requested the ESCAP Secretariat to consult with UNFPA regarding the urgency of population problems in the region with a view to obtaining increased resource allocations in support of the Commission's population activities, and (4) requested the Committees on Population and Social Development to meet consecutively prior to the next meeting of the Commission to consider the merging of the two committees.

Much of the detailed consideration of ESCAP's work is done in various legislative committees and in the Advisory Committee of Permanent Representatives and other Representatives designated by members of the Commission. During 1978 the United States participated in meetings of the committees on Shipping, and Transportation and Communication; Agriculture; Statistics; Industry, Housing and Technology; Natural Resources; Population; and Social Development, as well as the meeting of Ministers of Trade, held in lieu of the Trade Committee. It also took part in meetings of several non-legislative bodies, regional projects and expert groups, as well as the second regional preparatory meeting for the UN Conference on Science and Technology for Development (scheduled for 1979).

The United States contributed \$25,000 to the Asian and Pacific Center for Women and Development in Tehran during 1978. In addition, \$500,000 was contributed through the UN Voluntary Fund for Women to assist ESCAP in carrying out women's programs in the region.

#### ECONOMIC COMMISSION FOR LATIN AMERICA

ECLA was established in 1948 as a regional center to promote the economic development of Latin America and to strengthen economic relations among the Latin American countries and between the region and the rest of the world. To this end, ECLA produces studies of



various sectors of the Latin American economy, analyzes economic and social conditions in the region, and reviews the progress of development plans and programs. ECLA has 29 Western Hemisphere members (including the United States and Canada), three non-regional members (France, Great Britain, and the Netherlands), and two associate members (Belize and the West Indies Associated States). ECLA headquarters is located in Santiago, Chile, with small branch offices in Washington and six Latin American cities.

There was no plenary session of ECLA in 1978 because the Commission only meets biennially in the odd-numbered years; the 17th plenary was held in 1977 in Guatemala City and the 1979 session is scheduled for La Paz, Bolivia. A number of specialized meetings were held in 1978 under the auspices of ECLA, however. The most significant of these in which the United States participated were the Latin American Regional Preparatory Meetings for the UN Conference on Science and Technology for Development, held in Panama City and Montevideo; the joint ECLA/FAO Latin American Regional Conference on Agrarian, Rural, and Social Development, held in Montevideo, and the ECLA Latin American Regional Water Conference, held in Santiago, Chile, as a follow-up to the World Water Conference of 1977. The United States played a low-key but constructive role at all of these conferences emphasizing the importance of promoting human development and social change as a vital part of Latin America's continuing economic growth. In this connection, the U.S. Government continued in 1978 to strengthen further its ties with the ECLA Secretariat and encourage it to pursue the priority work areas agreed to at the 1977 plenary, viz: critical poverty and rural development, North/South relations and special trade problems, regional integration and technical cooperation among developing countries, integration of women into social and economic development, human settlements, the transfer of technology, and the environment.

#### ECONOMIC COMMISSION FOR AFRICA

ECA was established by ECOSOC in 1958. Full membership is limited to independent African countries; the United Kingdom, France, and Spain are associate members. The United States, while not a member, supports the Commission's activities by maintaining liaison with ECA headquarters in Addis Ababa, attending a number of its meetings as an observer, and providing technical and economic assistance.

ECA is charged with (1) promoting the economic and social development of Africa; (2) strengthening economic relations among African countries and territories; (3) undertaking studies of economic development; (4) collecting, evaluating, and disseminating economic and technical information; and (5) helping formulate policies to promote economic development. The Commission also provides advisory services to its members in various economic and social fields.

In 1978, ECA undertook to increase its influence in African regional affairs. As the potential major coordinator of the United Nations Decade for Transport and Communications in Africa, 1978-88, the Secretariat has been working on a cohesive and practical program

of action for the "Decade" and will call a high level meeting in spring 1979 to adopt the program. A pledging conference is tentatively scheduled for September 1979, when donors will indicate initial contributions to the ten year effort.

The United States continued to provide bilateral assistance to the ECA in 1978 by providing support for (1) the assignment of a senior Regional Adviser in remote sensing; (2) the programs of the African Training and Research Center for Women; (3) training programs for the staffs of both ECA and African economic cooperation organizations; (4) the assignment of a senior adviser in manpower planning; (5) assistance in preparation of the "Survey of Economic and Social Conditions in Africa 1978-79", (6) the assignment of a small scale industries expert; and (7) funds to carry out a pre-feasibility survey of agriculture and agro-industry in the Ruzizi Valley.

#### ECONOMIC COMMISSION FOR WESTERN ASIA

ECWA came into existence on January 1, 1974. The August 1973 ECOSOC resolution that approved its establishment provided that "the Commission shall consist of the states members of the United Nations situated in Western Asia which at present call on services of the United Nations Economic and Social Office in Beirut". That wording limited the original membership to 12 Arab states (Egypt was admitted in 1977) <sup>1/</sup>and effectively excluded Israel, even though it is a UN member of the region involved, because it had not used the UN office in Beirut. The United States objected at that time, considering that the language was contrary to the terms of and practice under the UN Charter. The United States likewise objected in 1977 when ECWA recommended, and ECOSOC subsequently approved, a change in the terms of reference to grant full membership to the PLO. In both cases, the United States was defeated.

After several postponements due to the fighting in Beirut, ECWA held its fifth plenary session in Amman, Jordan, October 2-6, 1978. The United States sent an observer to the session, which discussed activities since the fourth session and future plans. Resolutions adopted by the Commission called for, *inter alia*, (1) continued studies of the issues of emigration of trained personnel and labor migration; (2) establishment of an Arab regional center for transfer and development of technology, subject to Arab League approval; (3) keeping the temporary headquarters of the Commission in Beirut; (4) support for the Palestinian people; and (5) assistance in the reconstruction of Beirut.

The United States sent an observer to the ECWA regional meeting called to approve a plan of action for women, which took place in Amman, Jordan, May 29-June 4, 1978.

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<sup>1/</sup> Bahrain, Egypt, Iraq, Jordan, Kuwait, Lebanon, Oman, PLO, Qatar, Saudi Arabia, Syria, United Arab Emirates, Yemen (Aden), and Yemen (Sana).

## UNITED NATIONS DEVELOPMENT PROGRAM

The UNDP is a voluntary fund which finances the world's largest multilateral program of grant technical assistance. Established in 1966 through the merger of two earlier programs, the UN Special Fund and the Expanded Program of Technical Assistance, the UNDP is the main source of funding for technical assistance activities in the UN system. In recent years it has financed approximately one-half of all technical assistance activities carried out by the various UN agencies. The UNDP responds to requests from developing countries for technical assistance, with an increasing emphasis on the poorest. In 1978 UNDP projects were under way in some 151 countries and territories. In the current programming period (1977-81) over half of all assistance is being provided to countries with a per capita GNP below \$200 annually (1975 dollars).

Projects of a few months to several years in duration, in such fields as agriculture, industry, education, health, economic policy and planning, transportation, and natural resource exploration, comprise the major part of the UNDP program. Preinvestment investigations and feasibility studies leading to soundly based capital projects are another major area of activity. In addition the UNDP undertakes smaller projects designed either to train nationals by means of fellowships or to provide countries with required expertise through the use of expert advisers. Both types of projects are normally executed for the UNDP by one of the other participating agencies of the UN system, such as FAO, UNESCO, WHO, or UNIDO. The UNDP also directly undertakes a limited number of regional, inter-regional, and global projects to help create vital research institutions and seek resolution of development problems commonly affecting a number of countries.

The UNDP has its headquarters in New York. Its Administrator, Bradford Morse of the United States, took office in January 1976.

### Governing and Advisory Bodies

The UNDP is a subsidiary organ of the UN General Assembly, which sets overall UNDP policy. It is administered under the authority of ECOSOC and the General Assembly. The UNDP's operating policies are established and its programs and budgets approved by a Governing Council composed of representatives of 48 states--21 developed and 27 developing. <sup>2/</sup> States are elected by ECOSOC for 3-year terms and are eligible for reelection; the United States has been a member

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<sup>2/</sup> Members in 1978 were: Argentina, Australia, Austria, Belgium, Brazil, Burundi, Canada, Colombia, Congo, Cuba, Czechoslovakia, Denmark, Ecuador, Finland, France, Federal Republic of Germany, Guinea, India, Indonesia, Iran, Italy, Ivory Coast, Japan, Jordan, Kenya, Kuwait, Madagascar, Mali, Mexico, Netherlands, Norway, Pakistan, Poland, Romania, Senegal, Sierra Leone, Spain, Swaziland, Sweden, Switzerland, Thailand, Trinidad and Tobago, Tunisia, U.S.S.R., United Kingdom, United States, Yemen (Aden), and Yemen (Sana).

of the Governing Council since the UNDP's establishment. The Governing Council, which normally meets once a year--in Geneva in June--reports annually to the General Assembly through ECOSOC.

As provided in various decisions of the General Assembly, the Governing Council also serves as governing body for the UN Fund for Population Activities, the UN Capital Development Fund, the UN Volunteers, the UN Trust Fund for Sudano-Sahelian Activities, the UN Revolving Fund for Natural Resources Exploration, the UN Trust Fund for Colonial Countries and Peoples, and the UN Special Fund for Landlocked Developing Countries. The Governing Council also provides general policy guidance for the small program of technical assistance financed from the regular UN budget.

### Secretariat and Field Organization

The UNDP's administrative apparatus consists of a Secretariat in New York, headed by the Administrator, and 108 field offices in developing countries where programs are being carried out.

UNDP Resident Representatives advise their host governments on development planning and UN assistance and, within their countries of assignment, coordinate the operation of programs financed by the UNDP, the Capital Development Fund, and (where a program exists) the United Nations Revolving Fund for Natural Resources Exploration. The Resident Representatives' coordinating function also encompasses relations between host government planning authorities and most UN development system agencies. Resident Representatives act on behalf of, and furnish support for, the activities of such other UN agencies as the World Food Program, the UN Environment Program, the Office of Disaster Relief, and the UN Office of Technical Cooperation.

### Program Development: Patterns of Development Assistance

UNDP development assistance is provided on the basis of individual country planning figures--IPF's--computed to cover periods (cycles) of five years. The first such cycle extended from 1972-76; the second cycle began in 1977 and will extend through 1981. IPF's in the first cycle were largely set on the basis of proportional equality to aid supplied by UNDP from 1967 through 1971. That is, countries were given a claim to UNDP resources projected for the years 1972 through 1976 equal to the percentage of such resources they actually received in the earlier 5-year period. IPF figures for a second cycle have been calculated on a different basis, however, with each country's population and per capita gross national product being the principal factors in determining IPF size.

As a result of the substitution of these new criteria there has been, between the first and second cycle, a significant shift in allocation of resources. In the second cycle increases over first cycle funding are going to countries whose per capita GNP falls below the \$700 level. That group of countries with a per capita GNP of \$150 or less will receive 48% of total UNDP assistance (compared with 34% in the first cycle). The group whose per capita GNP is below \$400 will receive nearly 70% of resources (as compared



with the first cycle's 56%).

Total IPF's for 1972-76 came to \$1,537 million. The total anticipated for 1977-81, based on anticipated annual growth in contributions of 14%, is \$2,455 million. A January 1978 sectoral analysis of 66 second cycle country programs compared projects approved at that point in the cycle with projects approved at a similar point in the first. It showed that the sector shares of agriculture and industry remained stable, accounting for approximately 24% and 21% respectively of total activities. Economic and social planning received greater emphasis, its share rising from 10% to 17%. Other second cycle figures are: transport and communications, 9%; education, natural resources, health, and science and technology, 6% each; labor, management, and employment, 3%; international trade, 1%; and social security and social services, 1%.

### UN Regular Program

Annual provision is made in the UN assessed budget for a small program known as the "regular program of technical assistance." Its fundamental purpose is to enable the UN to provide assistance to developing countries on basic questions of economic and social development, including problems related to human and physical infrastructure. The activity complements and strengthens assistance available for developing countries under other programs.

Criteria for the use of regular program funds from the assessed budget dictate that they be employed as seed money (e.g., pilot projects) or to provide kinds of assistance unavailable from other sources. By way of example, the regular program's interregional advisory services--distinct from those furnished by UNDP--make available high level, experienced specialists for short term advisory missions aimed at resolving specific top priority development problems.

The program, for which the UNDP Governing Council provides general policy guidelines, operates under a series of General Assembly resolutions relating to economic development, social welfare, public administration, human rights, narcotics, regional and subregional advisory services, and education programs for southern Africa. Major areas of work in 1978 were development planning, projections, and policies (\$2.7 million); resources and transport (\$1.6 million); social development (\$1.1 million); and public administration (\$.8 million).

Of the total \$7.4 million expended in 1978 (versus \$8.4 million in 1977), about 93% was for intercountry programs and just under 7% was country specific.

Although sympathetic with this effort to provide additional assistance to the least developed countries, the United States, consistent with its views regarding the overall UN development system, has continued to advocate that technical assistance for development be eliminated from the UN assessed budget and be funded by voluntary contributions to the UNDP and other UN programs.

## UNDP and the PLO

The UN General Assembly on December 13, 1978, adopted resolution 33/147 which instructed the UNDP to intensify its efforts of economic and social assistance to the Palestinian people and endorsed earlier ECOSOC resolutions which had called on UN agencies to consult the PLO on matters affecting Palestinians. Resolution 33/147 in its draft form was a PLO initiative whose admitted ultimate purpose was to force UNDP to channel funds through the PLO, which also would be responsible for selecting the projects. A strong effort by the United States, Western European countries, and others succeeded in modifying the resolution to the point that there was no explicit reference to the PLO, although the resolution contained an operative paragraph endorsing earlier ECOSOC resolutions giving the PLO a key role in channeling UN assistance to the Palestinian people. In keeping with past U.S. objections to those ECOSOC resolutions, the United States voted against the resolution. However, the resolution is sufficiently vague as to assure that UNDP aid will not be channeled through the PLO. The United States in 1978 did not oppose assistance to Palestinians per se. In fact, the United States has been by far the largest contributor of assistance to the Palestinian people (mostly through the United Nations Relief and Works Agency for Palestine Refugees, UNRWA) since 1949.

## UN INDUSTRIAL DEVELOPMENT ORGANIZATION

In 1966, the General Assembly established UNIDO as an autonomous organization within the United Nations to promote and accelerate the industrialization of the developing countries. Membership in UNIDO is open to all members of the United Nations, specialized agencies, and the IAEA; the United States has been a member since its inception. UNIDO has its headquarters in Vienna.

The Industrial Development Board (IDB) is UNIDO's policy-formulating body and is comprised of 45 states which are elected by the General Assembly on a rotating basis for 3-year terms. 3 / The IDB held its 12th Session in 1978 from May 16 to 26.

The headquarters and field staff of UNIDO, about 1,000 individuals, promote industrial development by making available internationally recruited experts, by training developing country personnel, by establishing pilot institutions, and by preparing investment project proposals for consideration by multilateral and bilateral financing institutions. Support activities provided by the Secretariat include research and publications on development and transfer of appropriate technologies; on specific industrial sectors, such as fertilizers, iron and steel, petrochemicals, and pharmaceuticals; and on industrial

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3 / Members in 1978 were Argentina, Austria, Belgium, Brazil, Bulgaria, Chad, China, Democratic Yemen, Denmark, Finland, France, German Democratic Republic, Federal Republic of Germany, Greece, Grenada, Hungary, India, Iran, Iraq, Italy, Japan, Kenya, Mexico, Netherlands, Nigeria, Norway, Pakistan, Peru, Philippines, Romania, Sierra Leone, Sudan, Swaziland, Switzerland, Thailand, Trinidad and Tobago, Tunisia, Turkey, U.S.S.R., United Kingdom, United Republic of Cameroon, United Republic of Tanzania, United States, Upper Volta, and Venezuela.

functions such as infrastructure, factory establishment, and factory management. UNIDO also provides several information clearing house services and organizes expert symposia, sectoral consultations between governmental and nongovernmental participants to explore new opportunities for cooperation, and promotional conferences to stimulate contacts among businessmen, consultants, and government officials from countries at all levels of industrialization. UNIDO's funding comes largely from assessed contributions and UNDP. UNIDO does not provide capital assistance.

### Program Activities

In 1978, UNIDO expended \$54.9 million on technical assistance programs. Voluntary contributions provided most of the financing for these UNIDO projects, with almost 77% coming from UNDP sources (e.g., country programs, special industrial services). The UN Industrial Development Fund (IDF) provided another 12%, Trust Funds 7.1%, with only a small 4% financed from the UN assessed budget's regular program of technical assistance.

The largest programs of technical cooperation comprised programs for metallurgical industries (\$8.8 million) followed by projects in chemical industries (\$8.5 million), institutional infrastructure (\$7.7 million), agro-industries (\$5.8 million). Other smaller programs included training, industrial planning, factory establishment and management, and feasibility studies.

The United States supported UNIDO financially in 1978 through its annual voluntary contributions to the UNDP and through its assessed contribution to the UN regular budget. Furthermore, as in the past, a number of UNIDO-sponsored training projects were carried out in the United States.

### Industrial Development Fund

The United Nations Industrial Development Fund (UNIDF) established by the General Assembly in 1976, began operation on January 1, 1978. Pledges announced at the First Pledging Conference in October 1977 and subsequent pledges announced during 1978 brought the Fund's level of resources in its first year of operation to about \$10 million. In 1978, at the single annual UN Pledging Conference for Development Activities, 67 countries announced pledges totalling \$10.6 million. Of this total \$7 million were special-purpose contributions, \$1.4 million were general contributions in convertible currencies, and \$2.2 million were general contributions in non-convertible currencies. The expectation is that additional pledges will be made during 1979 bringing the total nearer the desired funding level of \$50 million annually.

During its first year of operation, over 200 projects, with an allocation of almost \$15 million, were approved for implementation in line with the nine priority areas established by the 9th session of the Permanent Committee. These areas were: special measures for least-developed, land-locked and island developing countries; development and transfer of industrial technology and industrial information; economic cooperation among developing countries;

training programs and strengthening industrial training institutions in developing countries; industrial institutional infrastructure; industries processing local natural resources, including export-oriented industries; industries satisfying basic needs and support to rural industries; promotional activities; and other activities. It was possible to provide a reasonably good distribution of Fund resources to cover all the above areas and to give a fairly even geographical spread of allocations.

The United States did not contribute to the IDF because it continued to believe that these activities should be supported through contributions to UNDP.

### Negotiations on a Specialized Agency Constitution

The General Assembly at its seventh special session in 1975 had endorsed the idea of converting UNIDO into a specialized agency and had established a Committee on the Drafting of a Constitution for UNIDO as an intergovernmental committee of the whole.

The intergovernmental committee held five meetings in Vienna over a 2-year period, but failed to reach agreement on a constitution. In February-March 1978, when the UN Conference on Establishment of the United Nations Development Organization as a Specialized Agency was convened at UN headquarters in New York it, too, failed to reach agreement. The Conference asked the Secretary General to bring its report to the 33rd General Assembly and recommended that it "take such action as it deems appropriate." On December 20, the General Assembly adopted resolution 33/161 which decided to convene a conference of plenipotentiaries at Vienna for a period of two to three weeks during the period March 19 to April 12, 1979.

### System of Consultations

During 1978, UNIDO undertook the preparation of first or second consultation meetings in nine industrial sectors: fertilizers, iron and steel, leather and leather products, vegetable oils and fats, petrochemicals, agricultural machinery, food processing, pharmaceuticals, and capital goods. In November, at Innsbruck, Austria, the Second Consultation Meeting on the Fertilizer Industry was held with over 200 participants (including U.S. industry representatives) from 66 countries and 23 international organizations attending. The Second Consultation Meeting on Iron and Steel Industry was to be held in New Delhi, India, in January, 1979.

First consultations on petrochemicals and agricultural machinery are to be held during 1979, as authorized by the Industrial Development Board. In addition, preparations were being undertaken for possible global consultation meetings on two issues common to all the above-mentioned industrial sector: training of industrial manpower and industrial financing. For each meeting, UNIDO presents an issue paper and a worldwide study of the industry concerned, prepared by the UNIDO International Center for Industrial Studies.



## Senior Industrial Field Advisers

The Industrial Development Field Adviser Program was strengthened in the course of the year by the addition of seven Senior Industrial Development Field Adviser (SIDFA) posts financed by UNDP. Thus, the number of SIDFAs at work in the developing countries at the end of 1978 was 30. One of these posts was financed under trust funds from the Government of Japan. Active recruitment is currently under way for an additional six posts in this program. A significant aspect of the strengthening of the program was the increase in recruitment of SIDFAs from the developing countries themselves, or SIDFAs having first-hand knowledge of the industrialization problems of those countries. In 1978, the number of SIDFAs from developing countries rose to 17, or about 60% of the current strength of the program.

During the year, active negotiations were undertaken, in an effort to reach the target of 60 SIDFA posts. Alternative sources of finance for the program were considered at the 12th session of the Industrial Development Board in May 1978, the 25th session of the UNDP Governing Council, and at the 33rd session of the General Assembly.

In response to a resolution adopted by the ECOSOC in 1978, UNIDO was requested in cooperation with UNDP and others to commission an independent and comprehensive appraisal of the SIDFA program. The Executive Director together with the Administration of UNDP retained the services of Sir Robert Jackson, an expert fully familiar with the UN system and its technical cooperation field programs, to carry out the task. The appraisal is to be submitted to the Board in 1979.

## Other General Assembly Resolutions

On December 15, the General Assembly adopted without vote three resolutions on UNIDO which had been recommended by the Second Committee. Two of the draft resolutions had been introduced in the Second Committee by Tunisia on behalf of the Group of 77, and a third by the Chairman. They were all approved without vote in the Committee. The first called for the Third General Conference of UNIDO to be held at New Delhi from January 21 to February 8, 1980 and approved the agenda annexed thereto. (Resolution 33/77.) The second was entitled "Industrial Development Cooperation" and dealt with various aspects of UNIDO's activities, i.e., (1) the UN Industrial Development Fund; (2) the senior industrial development adviser program; (3) decided the system of consultations in UNIDO should contribute effectively to the achievement of the objectives and targets set out in the Lima Declaration and Plan of Action; (4) strengthening of the technology section; (5) industrial manpower training; (6) industrial redeployment in favor of developing countries; and (7) assistance to the least developed among the developing countries. (Resolution 33/78.)

On both resolutions, the U.S. Representative, Mr. Reynold Riemer, said that the United States had reservations in regard to the reference made in them to the Lima Declaration and Plan of Action, since the position of his government remained unchanged on

that subject. He went on to say that in the opinion of his government the redeployment of industries should be the result of the evolution of economies rather than of international negotiations; government policy could facilitate such redeployment, but it had to take into account the economic structures of both home and host countries and of their economic, social, and security goals.

The third resolution, introduced in the Second Committee by its Chairman, revised the lists of states eligible for membership in the IDB to include the Solomon Islands in List A and to delete the Holy See from List B.

The Assembly also considered the Secretary General's note on the confirmation of the appointment of the Executive Director and decided to confirm the reappointment of Dr. Abd-El Rahman Khane as Executive Director for a further term of 4 years, i.e., from 1979 to 1983.

#### UN CONFERENCE ON TRADE AND DEVELOPMENT

UNCTAD is an organ of the General Assembly concerned with the trade and related economic problems of the developing countries. Since its establishment in 1964, UNCTAD sessions have convened every 4 years. The fourth session (UNCTAD IV) met in Nairobi, Kenya, May 5-31, 1976. The fifth session (UNCTAD V) will meet in Manila in 1979, a year earlier than usual by special exception. Membership is open to any country that is a member of the United Nations, the specialized agencies, or the IAEA. At the end of 1978 UNCTAD had 158 members--the 151 members of the United Nations, plus 7 other states that were members of specialized agencies.

UNCTAD has permanent machinery that functions between conference sessions. The senior body is the Trade and Development Board (TDB), which includes all member states of UNCTAD which decide to participate. The TDB held the second part of its 17th regular session on April 4, and its 18th regular session August 29-September 17, 1978. The second part of the 9th special session was held January 22-27 to prepare for a ministerial level TDB session, the third part of the 9th special session, March 6-11. All these sessions were held in Geneva.

The TDB has seven committees, which are open to all UNCTAD members, plus a number of other subsidiary bodies. The seven committees are Commodities, Manufactures, Invisibles and Financing Related to Trade, Shipping, Preferences, Transfer of Technology, and Economic Cooperation among Developing Countries. The United States is a member of the TDB, of the seven committees, and, with a few exceptions, of the other subsidiary bodies.

#### The Integrated Program for Commodities

As in previous years, UNCTAD served in 1977 as the predominant international forum in which the developing countries sought new measures to deal with problems in world commodity markets. In this setting, international commodity policy continued to be a major

component of U.S. economic relations with the developing countries.

The consideration of international commodity issues in UNCTAD took place within the context of the Integrated Program for Commodities, as adopted at UNCTAD IV in 1976. One of the two principal elements of the Integrated Program is a program of technical preparatory discussions concerning 18 major commodities of interest to the developing countries. (Coffee, cocoa, tea, sugar, cotton and cotton yarns, natural rubber, jute and jute products, hard fibers (sisal, henequen, coir, abaca), copper, tin, bauxite, iron ore, manganese, phosphates, tropical timber, bananas, meat, and edible vegetable oils and oilseeds). The first 10 are regarded by UNCTAD as "core" commodities for which buffer stock arrangements are asserted to be most suitable and necessary. International stabilization agreements exist already for tin, coffee, cocoa, and sugar. It was originally intended that the individual preparatory talks should lead to the formal negotiation of international price stabilization agreements for all 18 commodities, but it became increasingly clear during 1978 that such agreements were unlikely to be formed for the entire list of commodities. Preparatory talks did continue, however, for several of the raw materials for which international agreements had not yet been established. In addition, negotiations began in November on a natural rubber stabilization agreement and a decision was made to convene a conference in 1979 to renegotiate the 1975 International Cocoa Agreement.

Participation by the United States in the UNCTAD preparatory talks is based on the assumption that their purpose is the economic analysis of conditions prevailing in each commodity market, in order to determine whether specific international remedial measures are called for or feasible. This approach involves an unwillingness to accept *a priori* commitments to particular courses of action in any particular market without a firmly established analytical foundation.

U.S. commodity trade policy emphasizes reduction of excessive international price fluctuations, expansion of commodity trade generally, promotion of adequate investment in raw material production, security of supplies for the industrialized countries, and export earnings stabilization for developing country exporters. While the original Integrated Program stressed the conclusion of international price stabilization agreements for all 18 commodities, the United States does not believe that any single solution can be applied across the board to all commodity markets. Instead, it appears more reasonable to undertake rigorous economic studies of the actual conditions shaping specific commodity markets, with a view toward arriving at a clear understanding of the problems that may affect such markets and defining workable solutions for them. In some cases, international price stabilization agreements might be called for. In others, however, price instability may not be a problem, or one that can be solved at a reasonable cost. Alternative policies may be required, involving such measures as market promotion, research and development to create more efficient production techniques or new end uses, and diversification into alternative products.

## Common Fund Negotiating Conference

The Negotiating Conference on a Common Fund reconvened November 14-30 after several months of informal consultations organized by UNCTAD Secretary General Gamani Corea. While some progress was made during this session, important differences remained between the position of the developing countries and that of the United States and other OECD countries. The Conference adopted a resolution requesting the UNCTAD Secretary General to reconvene the Conference early in 1979, before the scheduled beginning of UNCTAD V in May.

The United States and other OECD governments (Group B) <sup>4</sup> / tabled a proposal incorporating two important concessions to the developing countries, compared to the Group B proposal of November 1977. The first of these was a provision that a portion of the Fund's financial resources to support international buffer-stocking operations could come from direct capital contributions by governments. The United States had held previously that the Fund's capital for buffer-stocking support should be formed by pooling the financial resources of international commodity agreements. The second Group B concession was agreement that the Fund could also finance certain commodity-related development measures other than price stabilization, through a so-called "second window" facility. The original Group B proposal had left the financing for such non-stabilization activities to existing international financial institutions, like the World Bank.

While there were some indications that differences were narrowing regarding the overall financial size of the Common Fund, the developing countries did not accept the basic elements of the Group B proposal touching on the financial structure and basic functions of the Fund. The developing countries still wanted most of the Fund's money to support buffer-stocking to come from direct government contributions, while the United States believed that most of this capital should come from the International Commodity Agreements that formed the Fund. Also, the developing countries wished to use the "second window" to finance a broad range of developmental projects, including diversification and capital investment in processing or manufacturing plants. In the U.S. view, this would needlessly and inefficiently duplicate the work of the World Bank and similar institutions. The developing countries also wanted the "second window" to receive mandatory, directly assessed financial contributions from governments, whereas the U.S./OECD proposal held that this facility should be voluntarily financed. At year's end, it was uncertain whether these differences could be resolved in the next negotiating session.

## Coffee

As of the end of the year, 67 countries had joined the International Coffee Agreement either as producers or as consumers of coffee. The Agreement was negotiated in 1975, entered into force

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<sup>4</sup> / Each member of UNCTAD is assigned to one of four groups--A, B, C, or D--on the basis of a combination of geographic and economic factors. Group B is the group of western developed countries.



in October 1976, and will remain in force until 1982. It was not negotiated under UNCTAD auspices, since it predated UNCTAD IV.

Export quotas are the principal economic instruments available under the Agreement to influence market prices. These quotas remained in suspense in 1978, however, because market prices remained well above a level at which quota imposition would have been justified. After soaring to record levels in 1977, coffee prices declined substantially during 1978 but were still high by historical standards at the end of the year.

The Coffee Agreement is intended to keep prices from falling so low as to discourage the investment that is needed to provide adequate coffee supplies in future years. Export quotas are allocated to producers according to their historical export performance and their proportion of world coffee stocks. The Agreement does not provide for internationally-managed buffer stocks, but the International Coffee Organization began a study of the feasibility of an international stocking arrangement in 1978.

### Cocoa

While the United States is not a member of the 1975 International Cocoa Agreement, it did participate actively in two preparatory meetings sponsored by the International Cocoa Organization to consider whether and how the Agreement should be renegotiated. On the basis of this work, the Organization decided in December to convene a formal conference to renegotiate the Agreement in January 1979, and the United States decided to participate fully in the conference.

The United States did not join the 1975 Agreement, which was economically flawed. The present Agreement relies on export quotas as its principal economic instruments (an arrangement that prevents the Organization from acquiring the physical stocks it would need to defend a ceiling price effectively).

In the preparatory meetings for a new agreement, the United States advocated an agreement that would depend on an international buffer stock of 350,000 metric tons to defend its price range. While this idea was generally well received by the producers, it was expected that the negotiations would involve hard bargaining on such questions as the size of the buffer stock, the role of such other supplementary measures as export quotas, and the setting and adjustment of the Agreement's price range.

### Tin

During 1978, the United States continued its active role in the International Tin Council, the executive body of the Fifth International Tin Agreement, which the United States joined in 1976. A major goal of the United States has been to seek expanded supplies of tin from producing countries, at non-inflationary prices, in order to meet demand requirements. In the U.S. view, recent tin shortages, in part the consequence of inordinately high tax rates and other impediments to production in some producing countries, have resulted in excessively high tin prices that threaten to increase substitution in tin-consuming industries. In cooperation

with other major consumers, the United States sought to convince producers to adopt domestic incentive programs to expand the tin industry. At the same time, the United States resisted producers' efforts to secure unwarranted increases in the stabilization price range administered by the International Tin Council.

During the year, the United States sought legislative authority to make a voluntary contribution to the buffer stock of the International Tin Council. The United States intends to contribute up to 5,000 long tons of tin, surplus to U.S. strategic requirements, which would be used by the Council to moderate currently high prices. While the 95th Congress did not authorize such a contribution, the Administration indicated that it would seek such authority from the 96th Congress.

### Copper

During 1978 copper continued to hold a prominent position in the UNCTAD Integrated Program for Commodities. By value, copper is the most heavily traded non-fuel mineral; its market is characterized by extreme price volatility and cyclical behavior (gluts followed by shortages). Copper was the subject of six preparatory and technical meetings in 1978. Discussions revolved around three broad themes: a possible international commodity agreement; an intergovernmental producer/consumer forum; and possible "interim" measures to improve market conditions which might be adopted more quickly than an international commodity agreement.

A major effort was made during the year to draft a charter for a forum which, among other tasks, was to continue the analytical work on a possible agreement. The discussions reached an impasse over the degree of institutional autonomy to be vested in the forum. The United States and several other countries advocated a forum with its own budget and staff, while some G-77 countries insisted that it be essentially an UNCTAD committee. In October 1978 it was decided to hold the issue in abeyance and to return to the UNCTAD preparatory meeting format to discuss stabilization and other measures. The first such meeting was scheduled for February 1979.

### Natural Rubber

The United States and other participants in the UNCTAD rubber talks decided at the Third Preparatory Meeting, held in February 1978, to begin formal negotiations on a price stabilization agreement for natural rubber later in the year. This made rubber the first of the UNCTAD commodities not previously covered by international agreements to move from the technical preparatory phase into formal negotiations. The United States decided to participate in these negotiations on the basis of analyses showing that a buffer stock agreement might help to stabilize rubber prices and encourage increased investment in rubber production.

The first session of the UN Negotiating Conference on Natural Rubber met from November 13 to December 8. The United States proposed an agreement that would employ a buffer stock of 700,000 metric tons to stabilize natural rubber prices, financed by government capital contributions and some commercial borrowing. The U.S. proposal also involved a semi-automatic procedure to

adjust the level of the price band that the agreement would attempt to maintain, linked to movements in the world market price for rubber.

The first session of the negotiating conference did not reach final agreement, although some progress was made. Other participants in the conference, including other consumers, preferred a smaller buffer stock than that proposed by the United States, although the natural rubber producers came to accept the need for a larger stock than they had originally proposed. The producers also accepted the U.S. position with respect to the financing of the buffer stock and the deletion of any provisions for export restrictions from the final agreement. However, the producers also introduced a new request to incorporate a fixed maximum intervention price in the agreement, to which the United States could not agree. Despite these differences, it was agreed that the conference would reconvene on March 26, 1979.

### Money and Finance

UNCTAD's Committee on Invisibles and Financing Related to Trade held the second part of its 8th session in Geneva October 23-November 3. In addition to considering reports by experts' groups on interdependence, access to capital markets inflation, the Committee considered the subject of export credits as a means of promoting exports from developing countries and held a preliminary discussion of international monetary issues likely to arise at UNCTAD V in May 1979. The only resolution adopted by the committee recommended further study of an export credit guarantee facility for developing countries. Other major issues mentioned were the flow of development assistance, views on the possibility of a comprehensive system of international financial cooperation, terms and conditions for international lending, and the distribution of international liquidity. Developing countries generally argued that changes in the international monetary system are needed to increase and improve the flow of financial resources for development, while developed countries responded that the present international financial framework was capable of responding adequately to legitimate needs. The chairman summarized this debate in a neutral and relatively well-balanced fashion.

### Debt

The issue of developing country debt has been a major topic of discussion between developed and developing countries. As a result of the serious economic problems which they confront, some low-income countries now view debt review as a vehicle for providing balance of payments relief and/or a means of supplementing what they consider to be inadequate flows of development assistance. At UNCTAD IV and the Paris Conference on International Economic Co-operation (CIEC), the negotiating caucus of developing countries advocated generalized (i.e., across the board) debt relief as necessary to assist in achieving developmental objectives. Few countries were, however, interested in relief on commercial debt and discussions focused on relief for the official concessional debt held by low-income countries.

Most creditor countries, however, wished to preserve the

traditional case-by-case approach for dealing with acute debt crises and to maintain a distinction between multilateral debt relief and development assistance. They also doubted that generalized debt relief is an efficient mode of resource transfer since benefits would be distributed on the basis of the historical profile of borrowers rather than on current country performance or need.

Given the wide divergence in views, substantive agreement on the debt issue has been slow to emerge. In March 1978, however, a Ministerial level meeting of the UNCTAD Trade and Development Board adopted a resolution which may have defused debt as a confrontational issue. The resolution had two basic elements.

The first was a commitment by donor countries to seek to adopt measures for the benefit of poorer developing countries that would allow the terms of past aid loans to be adjusted to the easier terms of today or to adopt equivalent measures. The purpose of such a commitment, although sometimes referred to as a commitment to retroactive terms adjustment, is to increase the concessional element of aid, rather than offer generalized debt relief. Each donor country is left free to determine the nature and distribution of the measures. The United States supported a Congressional initiative which provides authority to undertake case-by-case terms adjustment for past AID loans to the least developed countries. Under recently passed legislation, such countries may be permitted to make dollar payments due on past AID loans in local currency that will be used for mutually agreed development activities.

The second element of the March resolution was an agreement on four basic concepts to guide international action on future debt problems, with a commitment to continue efforts to expand these concepts.

At the year's end, the United States was encouraged by the growing recognition that debt cannot be addressed on a narrow basis, and that the best way to avoid debt problems in the future is to combine sound global economic policies with sound national economic policies.

### Transfer of Technology

An Intergovernmental Group of Experts was formed in 1975 for the purpose of drafting a Code of Conduct for the Transfer of Technology. The first two meetings were devoted to discussion of draft outlines, submitted by developing and developed countries. The initial proposals differed substantially in their philosophical basis, legal nature, and actual content. By UNCTAD IV in May 1976, the only common ground reached by the Group of Experts dealt with chapter headings for a code. The issue of the Code's legal nature was debated at length at UNCTAD IV and as yet remains entirely unsettled. UNCTAD IV mandated the Group of Experts to proceed with drafting the provisions of a Code, but to leave the question of the Code's legal status to decision by a UN conference. Since UNCTAD IV, there have been six meetings of an Intergovernmental Group of Experts to prepare a draft Code of Conduct. At its final session (July 1978), the Group completed work on a heavily bracketed text. The UN Conference on an International Code of Conduct on the Transfer of Technology was held October 16 to November 10, 1978, to



resolve the remaining issues and adopt a Code of Conduct. The Conference made limited progress in selected chapters of the Code--such as its Preamble and Principles and Objectives--but fell far short of overall agreement. The Conference decided to reconvene early in 1979 to continue its work.

The U.S. position regarding the nature and scope of the Code remains that it should: (1) be voluntary in nature, though a follow-up machinery to review the code may be possible; (2) be appropriately balanced in reference to the responsibilities of governments as well as firms; (3) ensure that national laws regulating the transfer of technology should be in accordance with international law; and (4) provide that provisions addressed to enterprises should be consistent with legal standards and practices commonly recognized among developed countries.

Other developed countries have advocated similar positions, and so far there have been no substantial differences among the developed countries (Group B).

The developing countries (the G-77) have advocated that: (1) the Code should be legally binding in all aspects; (2) all transactions between all affiliated enterprises should be subject to the Code; (3) responsibilities addressed to enterprises need not be balanced by responsibilities of governments; and (4) a follow-up mechanism be created to supervise and implement the Code of Conduct.

### Restrictive Business Practices

The Third Ad Hoc Group of Experts on Restrictive Business Practices was formed pursuant to a 1976 UNCTAD resolution. This Group has met several times over the past 2 years in an attempt to meet the objectives outlined for the Group by UNCTAD. Specifically, UNCTAD directed the Group: (1) to develop a model restrictive business practices law for developing countries; (2) to make recommendations on the exchange of information related to restrictive business practices in all states, and the provision of technical assistance on such matters; and (3) to propose a set of "agreed equitable principles and rules for the control of restrictive business practices" which adversely affect international trade and economic development, particularly in developing countries.

The Group has focused its work on developing a set of principles and rules and has produced a draft text with substantial agreed language. The draft principles include agreed objectives; agreed definitions of restrictive business practices and related terms; principles regarding the conduct of enterprises and governments; and recommendations for intergovernmental cooperation. An additional session of the Experts Group is scheduled for March/April 1979 to discuss further the principles and rules and to consider a draft model law which has been prepared by the UNCTAD Secretariat but has not been formally considered by the Group. The UNCTAD Trade and Development Board recommended in September 1978 that a negotiating conference to adopt the principles be held sometime between the fall of 1979 and the spring of 1980.

The developed country position regarding the nature and content

of the proposed set of principles is that it should, *inter alia*: (1) be voluntary; (2) promote competition in international trade; (3) include principles for governments and enterprises alike; (4) protect the "rule of reason" standard with regard to restrictive business practices; (5) be universal in scope and apply equally to public and private entities and to all types of corporations, without regard to nationality; and (6) not apply to purely internal decisions within multinational enterprises which do not affect competition with other enterprises.

The developing countries place less emphasis on competition. They wish to control more effectively the business practices of foreign-owned corporations operating within their boundaries, including the allocation of functions and distribution arrangements between parent and subsidiary corporations. They also seek to strengthen the role of UNCTAD in the field of restrictive business practices.

### Shipping

The fifth session of the Intergovernmental Preparatory Group on a Convention on International Multimodal Transport, held in Geneva in September, made considerable progress toward a draft convention in comparison to previous meetings. While the United States has serious doubts about the need for the proposed convention, it continued to participate actively in the drafting of the convention at this meeting. Most attention was focused on the question of liability in the area of liability and insurance in international multimodal transport. Three different approaches arose within Group B alone, plus a differing version from the Group of 77 with the support of Group D. By the conclusion of the meeting, three concepts--a "combined" approach reflecting Group of 77, Group D, and Tri-State (Norway, Australia, and New Zealand) views; a Canadian proposal; and an Anglo-French proposal--remained for further consideration. The meeting also produced a draft convention, albeit heavily bracketed with alternative proposed language, for the 6th session scheduled for February 1979. A diplomatic conference was tentatively scheduled for November 1979.

The difference in views between the Group of 77 and the United States and other members of Group B on the need for an international convention on container standards, which appeared at the first session of the Ad Hoc Intergovernmental Group on Container Standards for Multimodal Transport in 1976, continued to be the central issue at the Group's second session in December 1978 at Geneva. Group B maintained the view that no case had been made by the Group of 77 for a convention. The Group of 77 was equally adamant in arguing for a convention and refused to agree with a Group B proposal designed to facilitate developing countries' involvement in the private and voluntary International Standards Organization. Group D changed its position from the first session to one of support for the Group of 77 at this session. The session concluded with differing resolutions reflecting the views of the Group of 77 and Group B for consideration by the Trade and Development Board at its spring meeting.

The UNCTAD Committee on Shipping's Ad Hoc Intergovernmental Working Group on Economic Consequences of the Existence or Lack of

a Genuine Link between Vessel and Flag of Registry meeting in Geneva in February, produced a compromise resolution which left it to the Committee on Shipping or UNCTAD V to judge the appropriateness of formulating economic elements on the genuine link. It also acknowledged the need for additional study of open registries and suggested the possibility of reconvening this ad hoc group sometime in the future.

### Economic Cooperation among Developing Countries

The second session of UNCTAD's Committee on Economic Cooperation among Developing Countries (ECDC) met in Geneva October 2-10, 1978. The Committee received reports on UNCTAD's ongoing activities in the area, particularly in establishing cooperation agreements with various economic cooperation groupings, and in conducting studies of various aspects of ECDC, especially preferential trading arrangements and cooperative exchanges of skills. The Secretariat reported on its participation in the establishment of a Coordination Committee on Multilateral Payments Arrangements among Developing Countries and sponsorship of a Working Party on Trade Expansion and Economic Integration among Developing Countries. The Secretariat also informed the group of its plans for further work on such topics as a global system of LDC Trade Preferences, cooperation among state trading organizations, and multinational production enterprises.

Debate in the ECDC Committee centered mainly on the question of UNCTAD's role in supporting meetings on ECDC. The Group of 77 supported a resolution introduced by Mexico calling on UNCTAD to sponsor certain meetings open only to developing country representatives. The United States, supported by Group B, argued that such exclusive meetings would be contrary to the universal character of the UN system. The United States argued that accepting even a limited number of such exclusive meetings would create a precedent which could readily be applied elsewhere in UNCTAD and throughout the United Nations, and could eventually undermine international support for the organization. Group B introduced an alternative resolution approving some of the meetings requested by the Group of 77, but on the condition that they remain open to all interested parties. At the conclusion of the meeting both resolutions were referred without action to the next session of the Trade and Development Board. The Committee instructed the Secretary General to consult with member governments in an effort to resolve the matter in the interim.

### Trade

The United States participated in regional Generalized System of Preferences (GSP) seminars in Central America, Malaysia, Kenya, Belgium, Bolivia, and Colombia during 1978. The purpose of the seminars was to assist the developing countries in utilizing beneficiary schemes.

The Working Group on Rules of Origin met October 16-20, 1978, to consider steps that might be taken to improve the utilization of the preference-giving countries' GSP schemes including discussions on further harmonization and liberalization of the rules of origin.



## Least Developed Countries

The Intergovernmental Group on the Least Developed Countries convened its second session in Geneva July 17-28, 1978. This group adopted a resolution containing 36 recommendations which constituted a reaffirmation of intent to implement fully the special measures for least-developed countries already agreed to in the past, and to give consideration to launching a substantial new program of action for the 1980's. Previous international bodies had generally agreed on the need to increase aid flows to these countries, to increase their capacity to utilize aid effectively and to liberalize further the terms of external assistance.

The principal thrust of U.S. policy with respect to countries designated by the United Nations as "least developed" has been to steadily increase assistance to these countries, to provide such assistance essentially on a grant basis, and to improve the machinery for the delivery of such assistance. In 1978, the United States also adopted legislation which permits, in certain cases, least-developed countries to discharge their debt-service obligations to the United States by local currency expenditures in support of development programs.

The current all-grant policy was incorporated into the Foreign Assistance Act of 1978 in Sections 102(e) and 110(b). Section 102(e) states that development assistance is available to least developed countries on a grant basis for the purpose of promoting economic growth in the poorest countries to the maximum extent that is consistent with the attainment of U.S. development objectives. Section 110(b) exempts the least developed countries from the stipulation that disbursements under development assistance grant projects cannot exceed 36 consecutive months without justification to Congress.

Excluded from the all-grant policy is food aid, which is controlled by PL 480 legislation. However, recently enacted legislation provides for long-term (up to 5 years) agreements for PL 480 food assistance which could significantly affect the degree of concessionality. When the local currency proceeds of sales are used for agreed development purposes, this new law permits such uses to be counted toward repayment of the long-term dollar loans used to finance the sales from the United States. For the least developed countries, many of the requirements for eligibility under this provision can be waived.

## General Assembly Consideration

The Second Committee of the 33rd General Assembly approved 13 resolutions relating to UNCTAD which were subsequently adopted by the General Assembly in plenary session. Routine resolutions endorsing the continuation of negotiations and urging cooperation from all participants were adopted by consensus in the plenary Assembly on December 20. They were (1) resolution 33/153 which decided to convene in the period between September 1979 and April 1980, under the auspices of UNCTAD, a UN Conference on Restrictive Business Practices; (2) resolution 33/154 relative to the subjects to be discussed at UNCTAD V; (3) resolution 33/156 called upon the Chairman of the UN Conference to Negotiate an International Arrange-



ment to Replace the International Wheat Agreement of 1971, as Extended, to carry out as early as feasible the consultations envisaged to replace the present International Wheat Agreement; (4) resolution 33/157 requested the Secretary General of UNCTAD to take the necessary measures for convening a resumed session of the UN Conference on an International Code of Conduct for the Transfer of Technology in the first quarter of 1979, as well as a subsequent session if requested; and (5) resolution 33/158 requested all participating countries at the forthcoming 3rd session of the UN Negotiating Conference on a Common Fund under the Integrated Program for Commodities to exert efforts necessary to reach agreement on the basic aspects of the Common Fund so as to provide the necessary basis for work on the articles of agreement on the Common Fund.

On December 4, the Group of 77 introduced a draft resolution on "Economic Cooperation among Developing Countries." The draft was approved by consensus in the Second Committee and also resolution 33/195 was adopted by consensus on January 29, 1979, in the plenary. When the draft was approved in the Second Committee, the United States, the Federal Republic of Germany, and Canada stated that their acceptance of the resolution did not affect their previously stated position on the need for maintaining universal access to UN-sponsored meetings. Tunisia, speaking on behalf of the Group of 77, replied that the resolution recognized that meetings of developed countries could be permitted in certain cases.

A draft resolution sponsored by 17 countries entitled "Reverse Transfer of Technology" was introduced by Jordan on December 6 which, *inter alia*, requested the Secretary General to make available to the 35th General Assembly an in-depth study covering international, regional, and interregional aspects of the problem. The draft was approved in Committee on December 13 by a non-recorded vote of 123 to 0. Resolution 33/151 was adopted in the plenary Assembly on December 20 by a rollcall vote of 141 (U.S.) to 0.

A number of resolutions were introduced in the Second Committee by Tunisia on behalf of the Group of 77. One dealt with finance for development and requested the Secretary General to study suggestions and proposals regarding methods of providing multilateral guarantees, especially in their technical aspects, and to intensify efforts to evolve practicable solutions for improving developing countries' access to capital markets. The draft was approved on December 13 in Committee by a vote of 105 to 0, with 16 (U.S.) abstentions, and resolution 33/137 was adopted in the Assembly by a vote of 122 to 0, with 17 (U.S.) abstentions on December 19.

Another resolution requesting UNCTAD, at its 5th session, to recommend international policy measures to combat the world inflationary phenomenon was passed on December 14 by a vote of 105 to 0, with 19 (U.S.) abstentions in the Second Committee and a vote of 120 to 0, with 19 (U.S.) abstentions in the Assembly on December 20. (Resolution 33/155.)

Resolution 33/159, calling upon developed countries to work toward the adoption at UNCTAD V of action-oriented decisions on the debt problems faced by the developing countries was passed by a vote of 100 to 0, with 22 (U.S.) abstentions in the Second Committee on December 14 and a vote of 119 to 0, with 22 (U.S.) abstentions in

the Assembly on December 20.

The United States and many of the OECD countries explained their abstentions by stating that while they fully shared the objectives of the resolutions, certain sections could be interpreted in such a way as to negate previous positions or agreements.

A resolution on the acceleration of the transfer of real resources to developing countries was introduced by Sweden on behalf of Norway and Denmark on December 13 in the Second Committee. The draft was approved in Committee on December 13 by a vote of 103 to 1 (U.S.), with 19 abstentions and adopted as resolution 33/136 in the plenary on December 19 by a vote of 118 to 1 (U.S.), with 20 abstentions. The U.S. negative votes were based primarily on the repeated U.S. rejection of international assistance targets.

The United States also cast negative votes in the Second Committee and in the plenary on a resolution introduced December 4 by Tunisia on behalf of the Group of 77 entitled "Protectionism". The resolution called upon developed countries to adhere strictly to commitments concerning the stand-still on new tariff and non-tariff barriers, or intensification of existing ones against the exports of developing countries, and urged developing countries to speedily eliminate all forms of protectionist measures against exports of developing countries. The vote in Committee on December 14 was 61 to 1 (U.S.), with 16 abstentions. Resolution 33/196 was adopted in the plenary Assembly on January 29, 1979, by a vote of 109 to 1 (U.S.), with 21 abstentions. The U.S. negative vote on the protectionism resolution was based on the fact that it singled out developed countries alone although protectionism is a universal problem, and because it called for economic adjustment measures the U.S. Government is not legally empowered to undertake.

An additional draft resolution introduced by Tunisia on behalf of the Group of 77 entitled "Multilateral Trade Negotiations" was introduced in the Second Committee on December 7. The draft, inter alia, called upon developed countries to abide by agreements arrived at in Tokyo, especially with regard to the principle of non-reciprocity, and special and differential treatment for the developing countries. The draft was approved in the Second Committee on December 14 by a vote of 96 to 11 (U.S.), with 12 abstentions. The United States was joined by Canada and the member states of the European Community in voting against the draft. In explanation of vote in the Second Committee, the U.S. Representative, Robert B. Allen, said that his delegation had voted against the resolution because it was felt that the resolution attempted to prejudge the outcome of the multilateral negotiations before they were completed and incorrectly interpreted the 1974 Tokyo Declaration as meaning that no reciprocity would be sought from developing countries in the negotiations. Instead the trade pledge provided for less than full reciprocity in the negotiations, in accordance with levels of economic development. Resolution 33/199 was adopted in the plenary Assembly on January 29, 1979, by a rollcall vote of 110 to 11 (U.S.), with 11 abstentions.

#### GENERAL AGREEMENT ON TARIFFS AND TRADE

The GATT became effective through a protocol of provisional

application on January 1, 1948, with the objective of promoting world economic growth and higher standards of living through a reduction of barriers to international trade and the elimination of discriminatory treatment. The GATT remains the principal multilateral instrument through which the United States is working to improve the world trading system. The United States has been a party to the GATT since its inception.

The GATT consists of (1) a framework of general rules to promote trade relations among the contracting parties on a fair and equitable basis; (2) procedures for consultation and meetings of members to discuss policies, develop new rules, and settle disputes; and (3) concessions agreed upon in trade negotiations in the form of schedules of tariff rates extended by individual contracting parties to other contracting parties. The most-favored-nation principle requires that each contracting party apply the rate negotiated with any one party to all other parties. The GATT contracting parties have established a variety of forums in which general and specific trade problems and disputes may be discussed.

The membership of the GATT reached 84 states in 1978 with the addition of Suriname. Colombia, the Philippines and Tunisia continued to maintain their provisional accessions, and 24 other states adhered to the GATT on a *de facto* basis. In November, both Colombia and the Philippines notified the Contracting Parties of their intention to accede fully to the GATT pursuant to the provisions of article XXXIII. Mexico, Tunisia, and Thailand also indicated they are actively considering full GATT membership.

While not an integral part of the UN system, the GATT Contracting Parties, acting as an institutional entity, cooperates closely with UN organizations. For example, the GATT Contracting Parties and UNCTAD jointly direct an International Trade Center to assist developing countries in promoting their exports.

The GATT has provided the framework for seven multilateral rounds of tariff negotiations. The seventh, the most ambitious and far-reaching in its objectives, was launched with the unanimous adoption of the Tokyo Declaration in September 1973. This round differs from previous negotiations in that major emphasis is being placed on reduction of nontariff barriers to trade, and that special efforts are being made to benefit the less developed countries and to achieve freer trade in agricultural products. Previous rounds of trade negotiations had concentrated to a much greater degree on reduction of tariffs and had only limited success in dealing with agricultural trade problems.

In 1975 the negotiations moved from the preliminary procedural stage into the beginning of discussions of specific issues. Further progress was made in 1976, including the establishment of a group to consider improvement of the world trade framework and a group to study government procurement policies. Nevertheless, the negotiations were not moving at a pace which would envision early completion. In mid-1977 the major participants agreed on an ambitious timetable designed to accelerate the negotiations. By late 1977, requests for reductions in agricultural tariffs and nontariff measures affecting both industrial and agricultural producers had been put forward, and draft versions of codes or



other proposals on rules governing nontariff measures had been drawn up for negotiating purposes.

Initial offers on tariff and nontariff measures were made in early 1978 and specific negotiations continued throughout the year. By the end of 1978 basic agreement had been reached among the developed countries on most crucial issues and the United States was in the final stages of negotiations with all the major developing countries. It was anticipated that negotiations would be concluded in early 1979.

While the major rounds of trade negotiations have liberalized international trade in several large steps, the role of the GATT in the functioning of the international trading system on a day-to-day basis has also been important. The regular Sessions of the Contracting Parties, generally held annually, are the highest forum of the GATT and, as such, decide upon the direction of the GATT's work. In addition, the GATT Council (which meets several times a year between Sessions), standing committees, and special working parties and panels afford the contracting parties other forums for debate on trade issues and mechanisms for the resolution of disputes.

Regular GATT activities in 1978 were concerned largely with emergency actions and other changes in trade policy measures undertaken by various contracting parties. Consultations regarding trade measures taken for balance of payments reasons were held with Argentina, Bangladesh, Brazil, Chile, Finland, Ghana, Greece, India, Israel, Portugal, Pakistan, Tunisia, Turkey, and Yugoslavia. The Contracting Parties examined preferential trading arrangements between the European Communities and certain Arab countries (Egypt, Jordan, Syria, and Lebanon) and granted waivers from the requirements of article I for the establishment of preferential trading schemes between member states of ESCAP and the Association of South East Asian Nations (ASEAN). Under article XXVIII, the United States renegotiated tariff concessions with Brazil, Pakistan, India, Indonesia, South Africa, New Zealand, and Canada. Other items of general trade policy interest which were discussed were tax practices, anti-dumping practices, and trade with the non-market economies. The Consultative Group of 18 (a political level steering group established by the GATT in 1975) met twice during the year to examine recent trends in trade policy and international trade, including protectionism, to discuss ways of improving the continuous monitoring by the GATT of trade policy actions taken by member governments, (e.g., for balance of payments purposes); and to begin consideration of the post-Tokyo Round GATT agenda.

#### COMMISSION ON TRANSNATIONAL CORPORATIONS

Pursuant to ECOSOC Resolution 1913 (LVII), the Commission on Transnational Corporations was established in December 1974. The Commission held its fourth session from May 16 to 26, 1978, in Vienna. Thirty-five of the Commission's 48 member states, including the United States, attended the session. The Commission had before it four major areas of concern: (1) the work of the Intergovernmental Working Group on a Code of Conduct, (2) the efforts of the UN Center on Transnational Corporations to establish a comprehensive information system, (3) the report of the UN Group of Experts on



International Standards of Accounting and Reporting, and (4) the report of the Ad Hoc Intergovernmental Working Group on the Problem of Corrupt Practices (see next section).

### Code of Conduct

At its second session, held in 1976, in Lima, Peru, the Commission agreed to give "highest priority among its various tasks to the formulation of a code of conduct." The Intergovernmental Working Group, which the Commission established to formulate such a code, met in February, March, and September of 1978. At the February meeting, none of the substantive problems on the code were resolved, although all major parts of the code outline were discussed. At the March 1978 meeting, the UN Center on Transnational Corporations produced a new paper to replace the Chairman's annotated outline as a basis for negotiation. The paper reflected the intense preparation and commentary of both the developed and developing countries taking part in the code discussions. While in the developed countries' view, the new paper is more balanced than the Chairman's earlier annotations, the Group of 77 and Eastern European reaction was highly negative to many of the concepts in the paper (although not to the principle of the paper itself). At its September meeting, the Working Group completed discussion of the Secretariat's text and took a significant procedural step in authorizing its Chairman, Sten Niklasson (Sweden), to draft formulations, a step short of actual code articles, for a future code. The Chairman's paper will be presented to the Working Group in 1979.

At the fourth session of the Commission, all delegations reaffirmed that work on the code represented the "highest priority" for the Commission and that the working group should be authorized to hold three sessions of 2 weeks each before the fifth Commission meeting in May 1979. The Working Group could not, however, produce a draft code in 1978 as originally scheduled. In light of the number of unsettled issues, in particular the definition of what constitutes a transnational corporation within the context of the code and the code's legal status, the Commission did not set a new deadline for the Working Group's presentation of draft code articles.

The U.S. position regarding the nature and scope of the proposed code, remains that: (1) it should be voluntary in nature, though a broad range of consultative mechanisms may be possible; (2) it should be appropriately balanced in reference to the responsibilities of governments as well as firms; (3) it should not be used as a basis for discriminatory action against multinational enterprises as opposed to domestic firms; (4) it should provide that transnational corporations be given equitable treatment in accordance with international law; and (5) it should apply to all enterprises whether their ownership is private, government or mixed.

The positions of other developed countries have been basically identical to that of the United States, although some disagree with us on what to emphasize in the negotiations.

In contrast to the views of the developed countries, the delegations comprising the Group of 77 formally maintain that:

(1) the code should be binding in nature and legally enforceable by states; (2) it should uphold the concept of "permanent sovereignty," i.e., the absolute power of a state over its wealth, natural resources, and economic activities exclusively according to national law; and (3) the responsibilities of firms need not be balanced by any government responsibilities.

### Establishment of a Comprehensive Information Center on Transnational Corporations

Information-gathering activities are among the most controversial issues which the Center on Transnational Corporations addresses. The establishment of a comprehensive information system on transnational corporations was agreed to as an item of the draft work program at the first session of the Commission. That objective was further elaborated by the Commission at its second session in Lima, and the Commission directed the Center to produce a feasibility study and make proposals for guidelines and procedures for the operation of the system. These were to serve as a draft mandate for the future work of the Center.

At the fourth session of the Commission, the Center presented its feasibility study and information system proposal which reflected the views of member countries and outside consultants as well as those of the Center. Reaction was generally favorable and the Commission accepted the documents as the basis for future work by the Center in the information area. The Commission, however, outlined a number of cautions or conditions which should guide the Center in the operation of the system, including: the need for accuracy and greater clarity in the selection of firms and data, the limitation of collection efforts to the actual needs of governments, the desirability of only using publicly available data, and the requirement that there be an annual budgetary review of the system.

### International Standards of Accounting and Reporting

In 1977, a UN group of experts produced a Report on International Standards of Accounting and Reporting. The group was composed of private (as opposed to government) experts. Its mandate was to improve the comparability of transnational corporations accounting data. Ignoring its mandate, the group put together a report outlining an extensive list of disclosure items, including many not currently required of U.S. or foreign transnational corporations. The group did not address the question of the comparability of this data.

The Commission at its fourth session did not endorse the report. It recommended instead that ECOSOC establish a new inter-governmental group to formulate priorities for further steps in the field of international standards of accounting and reporting. The Commission also recommended that the group focus on accounting and reporting standards as they relate to the work on the UN Center's information system and discussions on a code of conduct relating to transnational corporations.

## CORRUPT PRACTICES IN COMMERCIAL TRANSACTIONS

ECOSOC resolution 2041 (LXI) of August 5, 1976, established the Ad Hoc Intergovernmental Working Group on the Problem of Corrupt Practices to examine the serious problem of corrupt practices, primarily bribery, in international commercial transactions. In addition, the group was assigned the task of elaborating a comprehensive draft international agreement to prevent and eliminate such practices. At two meetings held in 1978, the Group made considerable progress in improving several articles of a draft accord, particularly those on criminalization and exchange of information. No agreement, however, has yet been reached as to the inclusion of texts on payments to minority regimes in South Africa or on reporting and/or disclosure of payments to intermediaries.

The problem of illicit payments clearly includes both transnational corporation and non-transnational corporation bribery, and relates to extortion demands by government officials. The United States believes that a long-range solution will only be achieved through a multilateral treaty implemented through national legislation. The United States has formally proposed that the treaty be based on three concepts: (1) criminal laws in home and host countries prohibiting bribery and extortion in international transactions, (2) international cooperation on exchange of information and judicial assistance in endorsement of these laws, and (3) uniform provisions for recordkeeping of payments to foreign officials and agents made to influence official acts.

However, there is as yet no agreement on such a treaty. In particular, the developed countries have been reluctant to accept obligations for the transnational corporations conduct overseas as entailed in the U.S. initiatives. However, a French proposal presented at the fourth session of the Commission on Transnational Corporations which contained provisions on criminalization, has been helpful in advancing the work of the Group.

During the June 1978 Working Group meeting, a compromise was reached on the scope of the offense (bribery of and by foreign officials) which home countries would criminalize. No discussions have taken place on the Group of 77 proposal to prohibit payment of taxes and royalties to "illegal minority regimes in Southern Africa." The final report of the Working Group to ECOSOC contained a draft treaty as well as a recommendation, based on a U.S. proposal, that ECOSOC reexamine the question of convening a diplomatic conference and establish a committee to prepare for the conference. The 1978 summer ECOSOC achieved a consensus that preparations should begin for such a conference to be held "if possible" in 1980. Two meetings of the Committee of 2 weeks each were scheduled for January and March of 1979.

Developing countries maintain that the problem of corrupt practices should be dealt with only in the context of a code of conduct relating to transnational corporations. However, the United States holds that independent action is essential in order to expedite the eradication of bribery. The United States has made it clear that its desire for an initial agreement on bribery in no way affects its intention to continue working in the Intergovernmental

Working Group on a Code of Conduct Relating to Transnational Corporations. The United States does not believe, however, that progress on an illicit payments treaty should depend on, or be linked to, progress on a Code of Conduct.

### POPULATION ACTIVITIES

The UN Fund for Population Activities (UNFPA) was established in 1967 by the UN Secretary General as a special trust fund. In 1972 it came under the General Assembly, and in 1973 assumed a separate identity under ECOSOC and the general overview of the UNDP Governing Council. In the first ten years of its existence, UNFPA has grown from a small trust fund into a large program with an annual budget of over \$100 million supporting population activities in over 100 countries.

The UNFPA depends entirely for its income on voluntary contributions from member governments. Contributions pledged in 1978 were \$102 million as compared to \$91 million in 1977. As in previous years the United States was the largest donor to UNFPA, making a contribution of \$28 million in 1978.

In 1978, the UNFPA continued to institute a new system for giving emphasis in resource allocations to countries designated as priority countries. The mechanism for establishing priorities is based on one economic and four demographic indicators. Under this system the proportion of UNFPA allocations for country projects going to priority countries rose to 48% in 1978, moving closer to the target figure of two-thirds of all country allocations. In support of this programming emphasis, UNFPA carried out 22 basic population needs assessments by the end of 1978, mostly in priority countries, to identify the minimum requirements to promote the countries' self-reliance in population matters.

The overall commitments of UNFPA funds recovered in 1978 following a relative slowdown in its approved program budgets for 1977 caused by the shift in programming priorities; increasing from \$81 million to \$110 million. Allocations in 1978 continued to emphasize family planning, which accounted for 48.6% of approved budgets. Another 11.2% went for communications and education projects closely related to the implementation of family planning programs.

### WORLD FOOD COUNCIL

The World Food Council was created by the UN General Assembly pursuant to a recommendation of the 1974 World Food Conference. The Council (1) reviews periodically at the ministerial or plenipotentiary level major problems and policy issues affecting the world food situation; and (2) makes recommendations to the UN system, regional organizations, and governments on appropriate steps by which to forge an integrated approach toward the solution of world food problems. The Council has 36 members. 5 /

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5/ Members in 1978 were Argentina, Australia, Bangladesh,  
(Continued)



A preparatory meeting was held immediately prior to the fourth session of the Council, June 7-9, 1978, in Mexico City. The fourth session was held from June 12-25, also in Mexico City. The Council considered follow-up action to resolutions and recommendations of the World Food Conference and the General Assembly focusing on questions of agrarian reform and rural development, international and national agricultural research and investment in developing countries. It also discussed implementation of the 1977 "Manila Communique of the World Food Council" which outlined a program of action to eradicate hunger and malnutrition. It examined specific measures to promote the implementation of the recommendations concerning food production, including the flow of resources and apricultural inputs; the improvement of human nutrition; and action in areas of food aid, security, and trade.

The Council, while noting positive achievements in fulfilling the goals set by previous sessions, expressed concern for the future based upon the following facts: world food production had grown more slowly in this decade than in the 1960's; per capita food production in this decade had declined in the food priority countries--those requiring special attention because of the seriousness of their food problems; the number of undernourished people in the world continued to increase each year, most particularly in the food priority countries; external assistance for increasing food production declined sharply in 1976 and, despite a large increase in 1977, was little improved in real terms compared with 1975 and was still substantially below the \$8.3 billion cited in the Manila Communique; many developing countries had increased their priority for food production and nutrition despite their limited resources, but many other countries had not been able to do so; a new international wheat agreement had not yet been formulated, including the provision of a cereals reserve and at least 10 million tons of food aid on a secure basis; and trade barriers, trade instability and, in some cases, mounting protectionism handicaped food trade, food production and the development efforts of many developing countries, despite the Multilateral Trade Negotiations and negotiations being carried out under the auspices of the United Nations Conference on Trade and Development.

The most significant achievement of the fourth session was the preparation and approval of the "Mexico Declaration of the World Food Council." After including a review of the current world food situation and the prospects for the future, the declaration listed over 40 recommendations aimed at improving food production and nutritional levels in developing countries. Among the most important of these were that external assistance be increased to the level

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(Footnote continued from p. 104)

Canada, Cuba, Denmark, France, Gabon, German Democratic Republic, Federal Republic of Germany, Guatemala, Indonesia, Iran, Italy, Ivory Coast, Jamaica, Japan, Madagascar, Malawi, Mauritania, Mexico, Morocco, Netherlands, Nigeria, Pakistan, Philippines, Poland, Rwanda, Somalia, Sri Lanka, Thailand, Trinidad and Tobago, U.S.S.R., United States, Venezuela, and Yugoslavia.

required to achieve an annual rate of growth of food production in developing countries of 4%; food priority developing countries formulate and implement food and nutrition plans; countries in their efforts to increase food production and improve nutrition take into consideration the equitable distribution of income and economic resources; governments adopt the goal of eradicating vitamin-A deficiency, endemic goitre, and improve efforts to combat iron deficiency; the United Nations system make the eradication of hunger and malnutrition a major objective; states achieve the early conclusion of a new international grains agreement; countries negotiate a food aid convention aimed at securing at least 10 million tons of cereals per annum; and the International Emergency Food Reserve establish a continuing reserve with yearly replenishment and full subscription.

On December 15, 1978, the UN General Assembly, on the recommendation of its Second Committee, adopted without a vote a resolution introduced by Tunisia adopting the Mexico Declaration and emphasizing several of its recommendations. (Resolution 33/90.)

#### TECHNICAL COOPERATION AMONG DEVELOPING COUNTRIES

TCDC, South/South cooperation, collective self-reliance, love thy neighbor, or whatever phrase one uses, is an old idea that really came into its own, on a global scale, in 1978. In 1975 the UN General Assembly agreed to the holding of a World Conference on Technical Cooperation among Developing Countries and the meeting took place in Buenos Aires, Argentina, August 30 through September 12, 1978. Twelve hundred delegates from 138 countries, including 54 Ministers of Planning or Economy met for 2 weeks and finally produced what became known as the Buenos Aires Plan of Action. The very active developing country press dubbed this the "miracle of Buenos Aires" because the 38 recommendations in the Plan were adopted unanimously by the Conference without a reservation on any paragraph by any country--a first in UN history.

The most remarkable aspect of the Plan was that 35% of the recommendations were directed toward the developing world and spelled out how individual countries and groups of countries might help each other to achieve higher goals with respect to their own development program.

The remaining three recommendations were directed toward the developed countries and asked for support for the TCDC approach to development.

The United States played a leadership role at the Conference and helped to guide the Conference to its final positive result. The United States was particularly pleased to have UNDP designated as the UN focal point for TCDC and to have the new intergovernmental overview mechanism, open to all states, report to the 48-nation UNDP Governing Council.

The Buenos Aires Plan of Action was presented to the General Assembly at its 33rd session and was adopted, on the recommendation of the Second Committee, unanimously and without amendment, by the plenary on December 19, 1978. (Resolution 33/134.)

## SOCIAL ISSUES

### DRUG ABUSE CONTROL

Working within the UN framework, the United States continued its efforts to increase worldwide recognition of the problem of drug abuse and to step up programs to combat it.

### Commission on Narcotic Drugs

The Commission held its 5th special session in Geneva, February 13-24. Delegations represented the 30 member states 6 /, 32 observer states, 12 UN bodies, 5 intergovernmental organizations, and 8 nongovernmental organizations. Commission members expressed profound concern over the growing abuse of all types of drugs throughout the world. Recognition of the worsening situation was reflected by the addition of high-level government officials to the delegations of many countries. For example, Colombia, which is the major source of cocaine for North America and Europe, was represented by the Minister of Justice and the Attorney General. Mexico, which has set a worldwide example in its vigorous narcotics eradication effort, was represented by the Deputy Attorney General responsible for the eradication program. The U.S. delegation, led by Mathea Falco, Senior Adviser to the Secretary of State, also consisted of higher level government representatives than in the past: for the first time, both the Commissioner of the U.S. Customs Service and the Administrator of the Drug Enforcement Administration attended. Dr. Peter Bourne, Special Assistant to the President, delivered a message from President Carter stressing the importance of international drug control cooperation.

The current oversupply of opiates for medicinal purposes was the most difficult issue considered during the session. Members concurred with the conclusion of the International Narcotics Control Board (INCB) report that there is an oversupply of narcotic raw materials, especially poppy straw. The U.S. representative supported the INCB's conclusion and noted that the U.S. Government had decided not to produce Papaver bracteatum commercially so as not to aggravate the already dangerous oversupply situation. The Commission decided that additional production should not be undertaken for the domestic or international market and that producers, consumers, and manufacturers should meet under the INCB's auspices to exchange information and discuss informally how medicinal requirements can best be met. The Commission also recommended that governments supply the INCB with the necessary information to undertake long range studies and projections on the maintenance of a worldwide balance between the supply of narcotic

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6 / Algeria, Argentina, Australia, Belgium, Brazil, Canada, Colombia, France, German Democratic Republic, Federal Republic of Germany, Hungary, India, Indonesia, Iran, Italy, Japan, Kenya, Madagascar, Mexico, Pakistan, Panama, Sweden, Thailand, Togo, Tunisia, Turkey, U.S.S.R., United Kingdom, United States, Yugoslavia.



raw materials and the requirement of opiates for medical and scientific purposes.

Commission delegates gave increased recognition to the appropriateness of providing contributions to the UN Fund for Drug Abuse Control (UNFDAC) from governmental development aid funds since such contributions advance the socio-economic development of primary narcotics producing areas while at the same time reducing illicit narcotic crops. Accordingly, the Commission adopted a resolution requesting governments able to do so to make additional contributions to the Fund from development aid funds, for these purposes.

In reviewing ratifications and accessions to treaties, discussion focused on a number of countries--most notably the United Kingdom, Italy, and Iran--which intended to ratify the 1971 Convention on Psychotropic Substances. The U.S. Representative's indication of a strong U.S. commitment to and progress toward ratification of the Convention had a positive effect on other manufacturing countries which were still considering such a step.

A significant action by the Commission was its adoption of procedures for responding effectively to General Assembly resolution 32/124. This resolution, initiated by the United States, addressed international drug abuse prevention, treatment, and rehabilitation and stressed the need for collaborative support for projects to promote economic alternatives to illicit cultivation and production of narcotic substances. The Commission decided that its officers should prepare a working paper on the implementation of this resolution for consideration at the 1979 session of the Commission.

### ECOSOC

Meeting in May at its first regular session for 1978, ECOSOC adopted five resolutions proposed by the Commission on the international control of narcotic drugs. The first noted that during 1977 many states did not furnish annual reports to the United Nations as required under the various drug conventions, and urged the parties to take appropriate steps to fulfill their obligations. (Resolution 1978/9.) Another resolution supported an INCB appeal that states improve their reporting machinery so as to enable the Board to perform its surveillance function effectively. The resolution also urged greater efforts to eradicate illicit or uncontrolled opium poppy cultivation. (Resolution 1978/10.) The third resolution called for the balancing of supply and demand of raw materials for the licit manufacture of opiates, and noted the negative effect on this balance caused by the regular sales of seized narcotics. (Resolution 1978/11.) A fourth resolution invited states to cooperate with the INCB in its preparation of long-range studies on the future supplies of, and requirements for, opiates for medical and scientific purposes. (Resolution 1978/12.) A final important resolution referred to prior General Assembly appeals for generous and sustained contributions to the UNFDAC, recommended that governments contribute to the Fund annually if possible, and requested that governments make additional contributions to it from development aid funds for the execution of projects having the dual purpose of replacing illicit narcotics production and promoting socio-economic developments. (Resolution 1978/13.) All of these



resolutions were adopted by ECOSOC on May 5.

### General Assembly

The Third Committee of the 33rd General Assembly took up the problems of international drug abuse in November as part of its overall consideration of the report of ECOSOC. The Federal Republic of Germany introduced a draft resolution, sponsored by 14 states including the United States, that embodied the concerns expressed by the Commission and ECOSOC, reiterated earlier Assembly appeals to all states not yet parties to the drug conventions to take steps to accede to them, and requested the Commission to undertake at its 28th session the finalization and implementation of the comprehensive programs of international drug control strategy and policies, the task assigned to the Commission by the General Assembly in resolution 32/124. The draft resolution also requested ECOSOC to give due consideration at its first regular session in 1979 to all the narcotics-related questions the Assembly had raised. The resolution was approved by the Third Committee on December 12 and adopted by the General Assembly without a vote on December 20. (Resolution 33/168.)

### UN Fund for Drug Abuse Control

The Fund spent \$8 million in 1978 in support of 51 projects. This was a somewhat smaller number of projects than in 1977 although total expenditures of funds increased, a reflection of the Fund's continuing policy of consolidation. The Fund received contributions and pledges for 1978 amounting to \$7,326,000 from 40 governments. The United States contributed \$3 million. President Carter on September 22, 1978, in a White House statement, pledged continued support for the efforts of the Fund, the United Nations, and other governments in international efforts to control drug abuse.

On November 9, 1978, the U.S. Mission to the United Nations hosted a donors meeting in an effort to maintain focus on the continuing problem of drug abuse control and to encourage broader participation by member nations in the support of UNFDAC. The meeting was attended by a large number of representatives of UN member states, as well as U.S. Congressional representatives and White House staff members. In addition to U.S. Permanent Representative Andrew Young, those attending heard addresses by U.S. Congressmen Lester Wolff and Benjamin Gilman, and U.S. Senior Adviser for Narcotics Mathea Falco. As of December 31, 1978, total pledges to UNFDAC from its creation in 1971 amounted to \$39.6 million. The projected budget level for 1979 was \$9.5 million.

### CRIME PREVENTION AND CONTROL

The Committee on Crime Prevention and Control held its fifth session in Vienna, June 5-16, 1978. The Committee is made up of 15 experts, who serve on the Committee in their personal capacities. The U.S. expert, Mr. Richard W. Velde, was among those present at the session.

A major concern of the Committee was to assist in carrying forward the preparations underway since the conclusion of the

Fifth Congress in 1975 for the convening of the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Sydney, Australia, in the summer of 1980. The Committee considered and adopted the draft provisional rules of procedure for the Congress. It also heard a report from the Australian co-ordinator describing the preparations being made by the Australian Government to host the Congress. Finally, the Committee discussed the scope and coverage of the agenda items for the Congress.

Other issues discussed by the Committee covered the progress and coordination of United Nations activities in crime prevention and control, the role and future of the United Nations Social Defense Research Institute and UN affiliated institutes, capital punishment, and guidelines for crime prevention and criminal justice. Under this final item, the Committee discussed draft guidelines for the expeditious and equitable handling of criminal cases.

As a part of the preparations for the Sixth Congress, the United Nations Secretariat has been convening a number of regional meetings. A meeting of countries from Asia and the Pacific region was held in Manila, May 15-19, 1978. Another regional meeting for Latin American and Caribbean countries was held in San Jose, Costa Rica, July 31-August 4. A U.S. Government expert representative took part in this latter meeting.

## DISASTER RELIEF

United Nations Disaster Relief Office (UNDRO) activity in 1978 proceeded along lines set in previous years. There were no new contributions to the disaster preparedness sub-account, so UNDRO's activity in this field remained modest. UNDRO's main activity continued to center on disaster relief coordination and to some extent actual administration of disaster relief.

On December 19 on the recommendation of the Fifth Committee, the General Assembly adopted by a rollcall vote of 118 to 8, with 8 abstentions (U.S.) a decision asking the Secretary General to include in his budget proposal for the 1980-81 biennium the transfer of a "substantial portion" of the core program costs of UNDRO from the voluntary to the regular UN budget. (Decision 33/429.) The United States abstained on this decision because of its general policy against the transfer of voluntary funds to the regular UN budget.

In addition to the decision, the General Assembly adopted a resolution, approved without a vote by the Second Committee on November 21, which called upon governments and international organizations to cooperate with the UNDRO Coordinator by giving him information on their current and intended disaster relief contributions and on recipient governments to inform him of contributions offered and received, invited governments to contribute to the UNDRO trust fund, and requested the Governing Council of the UN Development Program to consider inclusion of technical cooperation activities for disaster preparedness and prevention in its programs. The resolution was adopted in plenary session without a vote on November 29. (Resolution 33/22.)

UN HIGH COMMISSIONER FOR REFUGEES

The Office of the High Commissioner 7 /was organized in 1951 and has as its primary function the responsibility for providing international legal protection to refugees. Its secondary function is to promote permanent solutions for refugee problems, mainly through resettlement programs, and to provide for interim and emergency care for refugees in places of temporary asylum. These responsibilities are carried out on behalf of refugees falling within the scope of the Statute of the Office adopted by the General Assembly in 1950. 8 / From time to time, the UNHCR undertakes special activities outside his mandate at the request of the Secretary General, often on behalf of persons dislocated within their own country as a consequence of manmade disasters.

An Executive Committee of 31 states 9 /meets annually in Geneva to review the work of the UNHCR and to approve his annual regular budget. At this meeting the UNHCR also advises the Executive Committee of his special activities. The U.S. Representative at the 29th session, in October, 1978, in Geneva was Frank A. Sieverts, Deputy Assistant Secretary of State for Refugee and Migration Affairs.

International Legal Protection

The basic legal implements for protection are the 1951 Convention Relating to the Status of Refugees, which is restricted to persons who become refugees as a result of events occurring before 1951, and the 1967 Protocol which removes the time limit on eligibility. By the end of 1978, 70 states were parties to one or both of the treaties. The United States is a party to the Protocol. However, a large geographic area of the world--most of Eastern Europe and mainland Asia--subscribes to neither. States acceding to these international treaties accept provisions explicitly prohibiting the return of a refugee, in any manner whatsoever, to any country in which his or her life or freedom would be threatened on account of race, religion, nationality, membership in a particular social group, or political opinion. At the same time, however, the refugee has obligations to the country in which he finds himself and is required to conform to its laws and regulations as well as the measures taken for the maintenance of public order.

The international protection of refugees includes insuring that

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7/ Poul Hartling, formerly Prime Minister of Denmark, was elected High Commissioner at the UN General Assembly in December, 1977.

8/ In general, those persons who are outside their country of nationality because they have well-founded fear of persecution by reason of race, religion, nationality, or political opinion and, because of such fear, are unable or unwilling to avail themselves of the protection of the Government of that country.

9/ Algeria, Australia, Austria, Belgium, Brazil, Canada, China, Colombia, Denmark, France, Federal Republic of Germany, Greece, Holy See, Iran, Israel, Italy, Lebanon, Madagascar, Netherlands, Nigeria, Norway, Sweden, Switzerland, Tanzania, Tunisia, Turkey, Uganda, United Kingdom, United States, Venezuela, Yugoslavia.



they are granted political asylum and that those who wish to do so voluntarily are returned to their country of origin without penalty for having fled. To facilitate the reestablishment of refugees around the world, UNHCR is also concerned with protecting the refugees' right to work, to practice their religion, and to receive social benefits under the law. In 1978 the task of providing legal protection to refugees increased in intensity as many thousands more fled from their countries of origin in Indochina and other refugees in Africa and Latin America found their situations more perilous.

### UNHCR Programs

During 1978 the UNHCR was deeply involved in international assistance programs for many refugee groups. One of the largest of these was the Indochina refugees, who had fled from Vietnam, Laos, and Kampuchea often at great risk. The UNHCR's program for Indochinese refugees more than doubled in size during the year. When the year opened, approximately 100,000 refugees were in non-communist countries of East Asia. By the end of the year, UNHCR was providing for the temporary care and maintenance of about 200,000 Indochinese refugees in Malaysia, Thailand, Hong Kong, Indonesia, the Philippines, and Singapore. UNHCR officials were concerned not only with providing financial support to feed and shelter the refugees but also with providing them protection by urging the Asian countries to which they had fled to continue providing them temporary asylum. UNHCR officials also played an important role in registering new arrivals and in seeking offers of permanent resettlement for them.

As the Indochina refugee problem worsened in the last months of 1978, the High Commissioner convened a consultation in Geneva, December 11-12, of the countries of first asylum and the members of his Executive Committee, to consider additional measures to be taken to assist the refugees in the countries of first asylum, to secure additional funds for this purpose, and to seek additional resettlement offers. The U.S. delegation to the consultation was headed by Under Secretary of State for Political Affairs, David Newsom and Deputy Attorney General, Michael Egan.

The U.S. Government contributed \$13.5 million of the total of \$30 million in the 1978 UNHCR program for Indochinese refugees. Most of the funds were employed in providing essential life support assistance: food, shelter, medical care. Some UNHCR funds were also used to finance resettlement in other countries. A substantial part of the UNHCR's program was also devoted to assisting refugees in Africa, where the number in need reached 2 million persons in 1978. The UNHCR estimates that its overall expenditure of funds in Africa in 1978 exceeded \$50 million. The largest single expenditure was in Botswana, almost \$10 million. Other major expenditures were made for refugees in Ethiopia, \$5.6 million; Angola, \$5.5 million; Somalia, \$4.9 million; Zaire, \$4.8 million; and Mozambique, \$3.7 million. The expenditures in Zaire included funds from a special appeal for resettlement of Shaba refugees returning from Angola and other neighboring countries under amnesty. Substantial assistance was also provided to other refugees from southern Africa, and from Uganda. In total, material aid was provided to refugees in more than 20 African countries. The United States contributed a substantial portion of the funds for the UNHCR's Africa program.



In Latin America the number of refugees in 1978 exceeded 100,000, most of them of European origin, while about 30,000 were of Latin American origin. Substantial numbers of these were assisted by UNHCR in resettling abroad, mostly in European countries.

Throughout 1978 the UNHCR also continued to assist refugees in Europe, the Middle East, and other parts of the world.

#### UNITED NATIONS CHILDREN'S FUND

UNICEF, the UN Children's Fund, was created by the UN General Assembly in 1946 to provide emergency aid for children in Europe following the devastation of World War II. The organization gradually evolved into one aimed principally at the long-range development and welfare of children in the developing countries. UNICEF has its headquarters in New York. It is headed by an Executive Director, Henry R. Labouisse (U.S.), and a policy-making Executive Board composed of 30 nations,<sup>10</sup> one-third of whom are elected each year by ECOSOC.

The Board is responsible for approving proposed programs, examining policy questions with respect to means of improving the situation of children, and reviewing and approving UNICEF's financial and budget structure. The Board meets at least once annually; in 1978 the session was held in New York from May 15-26.

#### Program Commitments

During 1978 the Executive Board reviewed and approved commitments for the following one to five years totalling \$299.2 million. Program assistance itself came to \$280.5 million; the balance of \$18.7 million went for administrative services. The Board also "noted" some \$76 million worth of projects in an advanced planning stage which it considered worthy of support, but for which funds were not available. It invited countries to come forward with special assistance contributions, if they so desired.

The geographic distribution of UNICEF new commitments went as follows: \$60.6 million to Africa; \$76.5 million to East Asia and Pakistan; \$103.6 million for South Central Asia; \$21.9 million for the Eastern Mediterranean; \$10 million for the Americas; and \$26.6 million for Europe and interregional projects.

In 1978 UNICEF helped projects in 108 countries. Total expenditure for the year came to \$183.5 million (including \$14 million in funds-in-trust). Some \$142 million was for programs, 52.6% for maternal and child health; 20.9% for education; 8.2% for child nutrition; 7.8% for other general expenses such as country planning

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<sup>10</sup>/ The members in 1978 were Afghanistan, Barbados, Benin, Bolivia, Brazil, Bulgaria, Canada, Chile, France, Federal Republic of Germany, Guinea, Indonesia, Italy, Japan, Jordan, Morocco, Netherlands, Norway, Pakistan, Philippines, Poland, Sweden, Switzerland, U.S.S.R., United Kingdom, United Republic of Cameroon, United Republic of Tanzania, United States, Yugoslavia, and Zambia.

and project preparation; 6.9% for social welfare services; and 3.6% for emergency relief. Program support cost \$25.4 million, and administrative support services came to \$15.9 million.

At the annual pledging conference for UNICEF, held in New York on November 7, 1978, the United States pledged \$30 million for 1979, an increase of 20% over 1978. Other countries pledged or were expected to pledge about \$110 million for 1979.

### Administrative Matters

The Committee on Administration and Finance (of which the United States is one of 18 members) of the UNICEF Executive Board met for two days during the annual meeting to review the financial reports for previous years and the UNICEF financial plan for 1978-81. The Committee approved the separate administrative services and program support budgets for 1979, as well as the budget for the Greeting Card Operation. The Committee reviewed the progress made by the Secretariat in the implementation of the recommendations contained in the 1974 management survey conducted by the Scandinavian Institutes for Administrative Research.

### International Year of the Child

The year 1979 was proclaimed by resolution 31/169 as the International Year of the Child (IYC) with the objectives of (1) providing a framework for advocacy on behalf of children and for enhancing the awareness of the special needs of children on the part of decision makers and the public; and (2) promoting recognition of the fact that programs for children should be an integral part of economic and social development plans, with a view to achieving, in both the long-term and the short-term, sustained activities for the benefit of children. UNICEF was designated as the lead agency of the UN system for the Year, and the Executive Director of UNICEF was requested to report through ECOSOC to the General Assembly on progress in preparing for the IYC.

In 1978 the preparations for the IYC became much more advanced, as an IYC Secretariat was organized in UNICEF under a Special Representative with the rank of Assistant Secretary General, Dr. Estefania Aldaba-Lim (Philippines). Supported by voluntary contributions, the Secretariat had offices in New York and Geneva and, as of April 12, 1978, some \$2.7 million had been received from 22 countries toward a total budget of \$5.2 million through mid-1980.

The Executive Director of UNICEF reported to the 65th Session of ECOSOC that the response to resolution 31/169 had been most encouraging. Of 152 governments to whom invitations had been addressed to participate in the IYC, 110 had started preparations and 50 of these had already established national commissions. The nongovernmental organizations community had continued to give its full support, those accredited to ECOSOC, UNESCO, and UNICEF having formed themselves into a single global NGO/IYC Committee with offices in Geneva and New York. The ECOSOC appealed to governments to review the situation of their children in depth, urged them to increase their assistance to programs of benefit to children, urged UNICEF and other UN agencies to give appropriate attention to children who might not otherwise be covered, and urged governments

which had not already done so to contribute to the cost of the IYC Secretariat. (Resolution 1978/40.)

On December 15, the 33rd General Assembly adopted without vote resolution 33/83 recommended by the Second Committee, which expressed appreciation to UNICEF for the manner in which it had discharged its duties; reaffirmed that the major focus of the IYC was at the national level; requested UNICEF to prepare a comprehensive, action-oriented report to be submitted, in order, to UNICEF at its 1979 session, to ECOSOC, and finally to the 34th General Assembly; decided to place a special debate on IYC on the agenda of the 34th General Assembly; and invited heads of state or governments to issue special messages in connection with the Year.

On April 14, 1978, President Carter created by Executive Order No. 12053 a National Commission for the International Year of the Child as suggested by the Executive Director of UNICEF. Mrs. Jean Childs Young was named Chairperson in May and 23 other persons from private life, as well as two Senators and two Representatives, became members on June 28, 1978, in a ceremony held at the White House. Speaking on that occasion, the President declared that, "I will be working closely with this group and hope to add the prestige and the influence of the Presidency itself to making this a successful effort."

#### SOCIAL DEVELOPMENT

ECOSOC's Commission for Social Development meets biennially and did not meet in 1978. Some issues on social development nonetheless were considered by the 33rd General Assembly.

#### National Experience in Achieving Social Progress

The topic, "National Experience in achieving far-reaching social and economic changes for the purpose of social progress," originally proposed by the U.S.S.R. has been on the agenda of ECOSOC, the Commission on Social Development, or the General Assembly intermittently since 1971. An additional item "Importance of the equitable distribution of national income for economic and social development: report of the Secretary General" was included in the agenda of the 33rd General Assembly pursuant to E/RES/2074 (LXII) of May 13, 1977. The Third Committee considered both items at 15 meetings between October 27 and December 8.

Two draft resolutions were introduced under the first topic. The first was introduced on October 27 by the Assistant Secretary General for Social Development and Humanitarian Affairs. The draft resolution took note of the Secretary General's report on national experience in promoting the cooperative movement, stressed the importance of the role of cooperatives of all kinds, and requested the Secretary General to submit a follow-up report on the subject to the 35th General Assembly. The resolution was approved without vote by the Committee on December 8, and resolution 33/47 was adopted without vote by the plenary Assembly on December 14.

On December 8, Tunisia (on behalf of the Group of 77) introduced a draft resolution entitled "World social development." The draft



resolution, inter alia, (1) stated in its sixth preambular paragraph that the objective of increasing the national income of the developing countries and their social progress necessitates far-reaching changes in the structure of the existing world economic system as provided in the Declaration and the Program of Action on the Establishment of a New International Economic Order; (2) requested the Social Development Commission to consider at its 26th session the report on the world social situation in the context of its work on the new International Development Strategy (IDS) and transmit its recommendations to the Preparatory Committee for the new IDS; and (3) affirmed that the social progress of all countries implies, among other things, a just and equitable distribution of income at the national and international levels. The resolution was approved in the Committee on December 8 by a rollcall vote of 121 to 0, with 10 (U.S.) abstentions. On December 14, resolution 33/48 was adopted by the Assembly by a rollcall vote of 125 to 0, with 12 (U.S.) abstentions.

In explanation of vote to the Third Committee, the U.S. Representative, David Cardwell, said that references to resolutions adopted at the 6th special session of the General Assembly on a new International Economic Order obliged the United States to reiterate its reservations concerning those resolutions. He went on to say that his delegation would have preferred the sixth preambular paragraph to be worded in such a way as to express the idea that the objective of increasing the real national income of the developing countries and their social progress necessitated considerable development of the existing world economic system with a view to instituting a new international economic order. Therefore, he had abstained from voting on the resolution.

### Youth

The Third Committee of the 33rd General Assembly considered the agenda item "Policies and Programs relating to youth" at six meetings between October 2 and 12. Three draft resolutions were introduced. All three were approved without vote on October 12 and subsequently adopted by the plenary Assembly on November 3, also without vote.

The first resolution, entitled "Channels of Communication with youth and youth organizations" was introduced by the Netherlands and sponsored by 22 states. Among other things, it (1) recalled resolution 32/135 which specified guidelines for the improvement of channels of communication between the United Nations and youth and youth organizations; (2) invited the Commission on Social Development to make appropriate recommendations for further development of the guidelines; and (3) requested the Secretary General to submit a report to the 34th General Assembly on progress achieved in the implementation of the guidelines. (Resolution 33/6.)

The second resolution, entitled "International Youth Year" was introduced by Romania and ultimately sponsored by 38 states. Resolution 33/7, inter alia, (1) decided to proclaim an International Youth Year and include the item in the agenda of the 34th General Assembly, due consideration there being given to the final designation of the most suitable period for the celebration of such a Year; and (2) invited all states to offer their views and suggestions to



the Secretary General before July 1, 1979.

The last resolution, 33/8, was entitled "Physical education and sports exchanges among young people." It was introduced by Argentina and sponsored by 14 states. Among other provisions, it (1) recommended that member states adopt necessary measures to promote physical education and sports exchange programs; (2) called on all states to take appropriate action to bring total cessation of sporting contacts with any country practicing apartheid; and (3) invited the Secretary General to submit to the 36th General Assembly a report on activities undertaken by member states, UNESCO, and other organizations in the UN system in the field of physical education and sports, particularly among young people.

### Problems of the Elderly and the Aged

The problems of the elderly and the aged were discussed at 10 meetings between October 24 and November 16. On November 15 the United States introduced a resolution entitled "World Assembly on the Elderly." The resolution was ultimately sponsored by 17 states. In introducing the proposal the U.S. Representative, Mrs. Ruth Morgenthau, said that the world assembly proposed would bring together government officials from developed and developing countries and leading gerontologists, permitting an exchange of knowledge and experience on measures taken or proposed for improving the lives of older people, and on ways in which they could achieve fulfillment by making greater contributions to their families, communities, and countries. In view of the importance which her country attached to that question, the U.S. Congress had recently approved, in final form, a bill authorizing a contribution of \$1 million or 25% of the cost of the World Assembly on the Elderly, whichever figure was lower, and President Carter had signed the bill into law.

The resolution, among other things, (1) decided to organize, in consultation with member states, specialized agencies and the organizations concerned, a World Assembly on the Elderly in 1982; (2) decided to consider at a later stage the feasibility of observing an international year of the elderly; and (3) requested the Secretary General to submit to the 35th General Assembly a draft program for the World Assembly and to make recommendations on the organization and objectives of the Assembly.

The draft resolution was approved in Committee without vote on November 16 and adopted as resolution 33/52 in the plenary Assembly on December 14, again without vote.

## SCIENCE, TECHNOLOGY, AND RESEARCH

### UN ENVIRONMENT PROGRAM

In response to a recommendation by the Conference on the Human Environment in Stockholm June 1972, and pursuant to a General Assembly resolution of December 1972, the UNEP was established January 1, 1973, in Nairobi, Kenya, to provide a focal point in the UN system for dealing with global environmental problems. It is primarily a catalytic and coordinating program, utilizing its voluntarily financed Environment Fund to provide seed money to launch or to support programs designed to fill gaps or improve performance in environmental programs carried out mostly by other elements of the UN system. The United States has attached particular importance to UNEP's promotion of Earthwatch and the Global Environmental Monitoring System; to the development of an International Register of Potentially Toxic Chemicals; regional seas programs designed to provide a coordinated and comprehensive attack on marine pollution problems; and development of international conservation agreements. A 58-member Governing Council 11/provides policy and general guidance to the program.

The Governing Council held its sixth session from May 9 through May 25, 1978, at UNEP headquarters in Nairobi, Kenya. The meeting was attended by delegations and observers from 70 member countries of the United Nations, representatives of UN agencies, regional commissions, and other organizations.

In his opening statement to the Council, Executive Director Mustafa Kamal Tolba (Egypt) focused on four main themes: major developments in the UN system, particularly the outcome of the 32nd General Assembly; progress in implementing the environment program; the status of the Environment Fund; and relations between the UNEP Secretariat and governments.

He highlighted the General Assembly's decision that there should be close links between Habitat and UNEP, and supported recommendations of earlier Governing Council sessions concerning the relationship between the natural and man-made environments. He noted that the General Assembly also approved in principle the construction of a UNEP headquarters building in Nairobi. Construction was scheduled to begin in mid-1979, and occupancy is planned for

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11/ Members in 1978 were Algeria, Argentina, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Canada, Central African Empire, Chad, China, Colombia, Cyprus, Denmark, France, Federal Republic of Germany, Ghana, Greece, Grenada, Guatemala, Hungary, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Japan, Kenya, Kuwait, Liberia, Libya, Malaysia, Mexico, Netherlands, New Zealand, Norway, Pakistan, Peru, Philippines, Poland, Romania, Rwanda, Senegal, Somalia, Spain, Syria, Thailand, Togo, Tunisia, Uganda, U.S.S.R., United Kingdom, United Republic of Tanzania, United States, Uruguay, Venezuela, Yugoslavia, and Zaire.

early 1982.

Followup action on the UN Conference on Desertification (see p.120) was reported by the Executive Director to be progressing satisfactorily. On February 12 the Convention for the Protection of the Mediterranean Sea against Pollution, and two related protocols, entered into force, having received the required ratification by six states. The Conference of Plenipotentiaries on the Protection and Development of the Marine Environment and the Coastal Areas, held in Kuwait in April, had been successful. Delegations from seven countries of the Persian Gulf area approved a comprehensive Action Plan, and decided to create a regional trust fund of \$5.8 million to cover expenses of scientific and socio-economic activities undertaken as part of the Action Plan. Work was underway on Ten Years After Stockholm, a title tentatively ascribed to a comprehensive assessment of environmental conditions and trends in the decade since the Stockholm Conference.

The Executive Director further reported that the current level of estimated resources for implementation of the 1978-81 medium-term plan was approximately \$112 million. The approved target figure of \$150 million was predicated on new contributions from member states which had not yet contributed, as well as increased contributions from others whose contributions had been modest.

The Governing Council reached a number of decisions including, among others, (1) a recommendation that progress toward achievement of the 21 goals for 1982 that it had approved in 1977 be examined in 1979; (2) a recognition that open-ended commitments from the Environment Fund for administrative responsibilities of the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora are inconsistent with the catalytic role of the Program and therefore decided that contributions from the Environment Fund to costs of the secretariat be gradually reduced and ended no later than the end of 1983; (3) called on states involved in the Mediterranean Action Plan to assume full financial responsibility for secretariat costs no later than the end of 1983; (4) authorized the Executive Director to consider the biennium 1978-79 as a single financial period for which an amount of \$61,600,000 is allocated, and (5) requested the Executive Director to follow up the recommendations of the Consultative Group for Desertification Control.

By the end of 1978, \$29,169,682 had been contributed by member states to the Environment Fund for that year, of which \$10 million represented the U.S. contribution.

#### ECOSOC and General Assembly Consideration

The second regular session of ECOSOC, 1978, considered the report of the sixth session of the Governing Council in five meetings between July 10 and August 1, 1978, and recommended its approval to the General Assembly.

The 33rd General Assembly considered the United Nations Environment Program in the Second Committee at 13 meetings between

November 2 and 30. The Committee considered and adopted four resolutions. Three of them were approved without vote in Committee on November 28 and adopted by the plenary Assembly on December 15, again without vote. <sup>12/</sup>

The first resolution noted with satisfaction the report of the Governing Council's sixth session, and inter alia, called upon all in the UN system involved in the elaboration of the new International Development Strategy to take environmental concerns into full account in that preparation, and urged continued support for the UN Environment Fund through generous contributions. (Resolution 33/86.) The second, resolution 33/87, took note of the report of the Intergovernmental Working Group of Experts on Natural Resources Shared by Two or More States, its approval by the UN Environment Program, its transmission to the General Assembly with an invitation to adopt the draft principles, and invited the Secretary General to transmit comments from governments to the 34th General Assembly. The third, resolution 33/88, dealt with measures to be taken for the benefit of the Sudano-Sahelian region. The resolution, among other things, decided to designate the UN Sahelian Office, in addition to its current functions, as an arm of the United Nations to be responsible for assisting, on behalf of the UNEP, the efforts of 15 countries of the Sudano-Sahelian region situated south of the Sahara and north of the Equator to implement the Plan of Action to Combat Desertification.

#### Plan of Action to Combat Desertification

The Plan of Action to Combat Desertification was adopted by the 1977 United Nations Conference on Desertification held in Nairobi, and was approved by the 32nd General Assembly (Resolution 32/172). The immediate goals of the Plan of Action are to arrest and, where possible, to reverse desertification and reclaim land that has turned to desert. Its ultimate objectives are to sustain and promote, within ecological limits, the productivity of arid, semi-arid, subhumid, and other areas vulnerable to desertification.

With regard to financial arrangements, the Conference called for (a) establishment of a permanent Consultative Group consisting of multilateral and bilateral assistance agencies, donor countries, developing countries having a substantial interest in combating desertification, and other organizations as might be required; (b) creation by the General Assembly and other organizations of a special account for the financing of anti-desertification programs; and (c) a study of possible other financing measures such as funds in trust and international taxation schemes.

The first session of the Consultative Group for Desertification Control was convened by the UNEP Executive Director in Nairobi in May 1978. The Group adopted a policy statement regarding its future work, and considered project proposals that were based on the studies of the feasibility of regional cooperation in combating desertification which had been approved by the Conference. The Group indicated readiness to consider elements of the various pro-

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<sup>12/</sup> For discussion of the fourth resolution, see p. 121.



jects for possible support when they were refined and elaborated along the lines indicated during the discussions. Subsequent to the first session, the United States which had withheld its participation, formally announced that it would become a member of the Consultative Group for Desertification Control.

On November 15, Tunisia, on behalf of the Group of 77, introduced in the Second Committee a draft resolution which, inter alia, (1) took note of the Secretary General's report on the implementation of resolutions adopted by the UN Conference on Desertification; (2) took note of the Secretary General's report on the study of additional measures and means of financing for the implementation of the Plan of Action to Combat Desertification; (3) reaffirmed its decision to establish in principle a special account within the United Nations for the financing, subregional, and regional projects within the framework of the implementation of the Plan of Action; and (4) requested the Secretary General to solicit the views of governments on the additional measures and means of financing the Plan of Action and report on the results to the 34th General Assembly. A rollcall vote of 89 to 7, with 26 (U.S.) abstentions was taken on operative paragraph 4 which reaffirmed the establishment in principle of a special account. Speaking after the vote on November 28, the U.S. Representative in the Second Committee, Ms. Gilda E. Varrati said that the United States fully supported the Plan of Action to Combat Desertification and had participated in the work of the Consultative Group. However, both at the Conference and in the Second Committee, it had expressed its opposition to the establishment of special accounts to finance projects to combat desertification. The establishment of such accounts would duplicate other activities, would complicate the work of coordinating activities within the UN system, and would increase administrative costs to the detriment of field activities. The United States would continue to provide aid in connection with the Plan of Action through the existing bilateral and multilateral channels.

The draft was adopted in the plenary Assembly on December 10 as resolution 33/89 by a vote of 130 to 0, with 10 (U.S.) abstentions.

The Secretary General's report on the establishment and operation of the special account indicated that the money for it would come from voluntary donations by states, not from the regular UN budget. Responsibility for executing programs financed by the account would be exercised by the Executive Director of UNEP. 13/

#### UN HUMAN SETTLEMENTS ACTIVITIES

On December 12, 1977, the General Assembly adopted resolution 32/162 approving institutional arrangements for international co-operation in the field of human settlements. The resolution, recommended by the Second Committee, decided that ECOSOC should

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13/ The Secretary General's report was endorsed by the ACABQ in January 1979. The Fifth Committee recommended, by consensus, on January 17, the establishment of the special account. The General Assembly in plenary session adopted the recommendation without a vote on January 29 as section IX of resolution 33/116 C.

transform its Committee on Housing, Building, and Planning into a 58-member Commission on Human Settlements. The members were elected for 3-year terms on the basis of 16 seats for African states, 13 for Asian states, 6 for East European states, 10 for Latin American states, and 13 for West European and other states. 14/

The first session of the new Commission was held April 3-7, 1978, at UN headquarters in New York and was attended by 53 countries. The session began inauspiciously. Due in part to the short interim period following adoption of resolution 32/162, the Executive Director had not yet been named to head the new Secretariat. The Habitat Center for Human Settlements, and the disparate UN antecedent offices, principally the Center for Building, Housing, and Planning (a part of the UN Secretariat in New York), and the UN Habitat and Human Settlements Foundation (attached to UNEP in Nairobi) were therefore not yet combined into a unified structure. Both organizations prepared documentation on key program, financial, and administrative matters for themselves only, thereby resulting in confusion and delay in considering the business before the Commission.

The United States delegation early joined in identifying the Commission's priority areas of work and in helping the deliberations come to a useful conclusion. In this, it worked closely with other interested and effective delegations, including those of Canada, the Netherlands, the Federal Republic of Germany, the United Kingdom, Poland, Jamaica, and Mexico. The Commission considered at length the new Center's staff and financial resource availabilities and needs, and program priorities, as well as the expanded frame of reference for the UN regional economic commissions in human settlements activities.

Delays in inaugurating new activities were anticipated because much of the staff had to be relocated to Nairobi. Therefore, the Commission decided to permit the Center to continue ongoing activities and programs through the ensuing year while it was to prepare new, integrated programs for the Commission's consideration at its second annual meeting.

In the area of resources, the Commission requested the Center to prepare for the second session a unified budget, showing regular budget (UN) and UNDP-sourced funds and voluntary contributions, as well as a report on the personnel situation. The Commission called upon all countries to achieve the \$50 million target for voluntary contributions to the UN Habitat and Human Settlements Foundation as incorporated in the new Center.

The U.S. delegation was particularly active in encouraging the Commission to provide the Center with a clear set of priorities and objectives for the first year's operations and for a medium-term plan within the framework of the recommendations for national action adopted by the Habitat Conference in Vancouver in 1976 and of resolution 32/162. The Commission decided that at the global and interregional levels the Center's program should include limited research and methodology activities and concentrate on technical assistance for field activities and on the promotion and dis-

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14/ On Jan. 12, 1978, ECOSOC elected the United States to a 3-year term on the Commission.

semination of information related to the program on human settlements. The United States did not favor a large mandate for research given both the significant body of available information and the Center's limited resources. However, the United States did give support for the training, institution-building, and information dissemination functions of the Center, and to the concept of consolidation of disparate organizational elements in Nairobi, with the simultaneous increase of human settlements programs in each of the geographic regions. At the regional level, the human settlements offices of the UN regional commissions were to take into account local priorities and focus on technical assistance and the execution of regional and subregional projects.

The United States did not contribute to Habitat in 1978, pending a more definitive budget and work plan.

### EFFECTS OF ATOMIC RADIATION

The UN Scientific Committee on the Effects of Atomic Radiation (UNSCEAR) 15 was established by the General Assembly in 1955 to provide continuous review and evaluation of the effects of ionizing radiation on humans and their environment. Radiation in this context covers both natural and manmade (i.e., from atmospheric and surface nuclear weapons tests, nuclear power plants, and peaceful nuclear explosions) environmental radiation, and medical and occupational exposures. In addition to collation and evaluation of the literature on radiation effects, UNSCEAR agreed in November 1973 to evaluate the radiological hazards created by testing activities in one country if asked to do so by a possibly injured neighboring country. To date, UNSCEAR has conducted no such evaluations.

Dr. Robert D. Moseley, Professor of Radiology at the University of New Mexico and U.S. Representative to UNSCEAR, headed the U.S. delegation at UNSCEAR's 27th session, held in Vienna, April 17-21, 1978. The delegation also included scientists from the Department of Energy, the Nuclear Regulatory Commission, and Argonne and Oak Ridge National Laboratories. This meeting was designed to outline the structure and content of the next report to the UN General Assembly which is proposed for 1981. The Committee concluded that by 1981 sufficient raw data would be available to allow developing useful reports in areas, such as a review of all radiation sources and exposures and a detailed discussion of the UNSCEAR Dose Assessment model.

A short report was submitted to the General Assembly at its 33rd session detailing the results of UNSCEAR's 27th session. On November 3, on the recommendation of its Special Political Committee, the General Assembly adopted by consensus a resolution which took note of its report and commended UNSCEAR for its work. (Resolution 33/5.)

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15/ The members are Argentina, Australia, Belgium, Brazil, Canada, Czechoslovakia, Egypt, France, Federal Republic of Germany, India, Indonesia, Japan, Mexico, Peru, Poland, Sudan, Sweden, U.S.S.R., United Kingdom, and the United States.



## UN REVOLVING FUND FOR NATURAL RESOURCES EXPLORATION

The United Nations established the Revolving Fund for Natural Resources Exploration in 1973. It is managed on behalf of the Secretary General by the Administrator of the UNDP. The UNDP Governing Council provides policy oversight and reports on the Fund through ECOSOC to the General Assembly. The United States has traditionally strongly supported natural resources exploration programs in the United Nations.

The Fund is meant to finance technical assistance necessary to help developing countries locate mineral reserves, determine their quantity and quality, and assess their economic value. Fund operations are intended to cover a middle ground, encompassing projects whose prospects are not so great as to attract the attention of traditional resources explorers yet not so poor as to have but limited chance for success.

In theory, the Fund eventually will become self-sustaining. Countries receiving assistance undertake to make "replenishment contributions" in the event that Fund activities lead to actual commercial production within 30 years after the start of exploration. The replenishment rate is calculated at 2% of the annual value of produced commodities for a period of fifteen years from the start of commercial production until a specified ceiling is reached. Replenishment payments were expected to make the Fund self-sustaining within a period of 25 years or less.

As of the end of 1978, Fund operations were being financed exclusively through voluntary contributions and investment income. The number of projects actually commenced in nearly 4 years of operations was under a dozen, due in part to the long planning periods typical of natural resource projects.

As of December 31, 1978, cumulative voluntary contributions to the Fund totalled \$22.7 million. Outstanding commitments totalled about \$12.8 million, but cumulative expenditures were only \$3.1 million.

As a result of these problems, and in response to General Assembly resolution 32/176, the Secretary General appointed an intergovernmental group of experts to prepare a report on aspects of mineral and energy exploration in developing countries. The group met several times in 1978 and its report, which contains a special section on the Revolving Fund, was submitted to the General Assembly in October. The report considered three types of possible changes in the Fund's operations to make it more flexible and responsive to developing nations' needs: (1) changes in procedures and financial arrangements; (2) horizontal expansion to fields such as geothermal energy and petroleum exploration; and (3) vertical expansion, either backward to basic geological survey work and geoscientific data collection, or forward to feasibility studies, pilot plant operation, and exploitation.

The 33rd General Assembly adopted a resolution which requested ECOSOC to consider the advisability of adjusting and operating



procedures of the Fund, and that ECOSOC and the UNDP Governing Council consider in 1979 the expert group's report and recommendations. The resolution was approved in the Second Committee on December 13 without a vote, and adopted by the Assembly on January 29, 1979, also without a vote. (Resolution 33/194.)

The United States supported expanded exploration for mineral resources as a means of strengthening developing nation economies and of assuring global access to needed raw materials. The United States pledged \$1 million to the Fund for 1978, building on a \$2.5 million pledge for 1977. However, recognizing that this new, small Fund was engaged in high-risk ventures, the United States closely monitored its progress in 1978. At the June Governing Council review of Fund activities, the United States had expressed its concern over the slow rate of project implementation and supported a Council decision for a comprehensive review of Fund activities in 1981. The United States believed that a preliminary review of the Fund's problems would be useful before then, however. The U.S. Representative, William R. Falkner, suggested in the Council that the Fund report to the Council in 1979 on the more than 150 project proposals the Fund had considered, with an analysis of various design and implementation problems.

#### UN CONFERENCE ON NEW AND RENEWABLE SOURCES OF ENERGY

On December 20, the 33rd General Assembly adopted without vote a resolution, recommended by its Second Committee, which decided to convene a UN Conference on New and Renewable Sources of Energy in 1981 with the objectives of (1) analyzing the state of new and renewable energy technologies, (2) identifying the potential of various technologies, (3) assessing the economic viability of the technologies, (4) identifying measures for promoting development of these technologies, (5) identifying measures for transferring technologies to the developing countries, (6) promoting adequate information flows regarding all aspects of new and renewable energy sources, and (7) examining the question of financing activities to utilize these energy sources.

Organizationally, the conference required the appointment of a conference secretary general and a professional staff of five; the Director General for Development and International Economic Cooperation will provide overall guidance on the input of relevant Secretariats in the UN system. The resolution also called for the General Assembly at its 34th session to establish an intergovernmental preparatory committee for the conference. All member countries will be invited to participate. (Resolution 33/148.)

Speaking on October 20, in the Second Committee, Senator Ribicoff stated the U.S. view that urgent action was required to develop new energy sources which would permit the transition from an oil-based world economy to one which relied on new and renewable sources of energy. He reiterated the U.S. position that the United Nations had a role to play in achieving that goal as part of a coordinated effort. He indicated that the United States favored the holding of a conference on new and renewable resources in 1981.

Substantive support for the Conference will be centered around the Center for Natural Resources, Energy, and Transport (CNRET). CNRET will participate in the selection of the permanent conference staff.

CNRET will also have a role in organizing and coordinating the work of eight technical panels. These panels would be organized along functional (energy source) lines as follows: solar, biomass, wind, geothermal, shale/tars, hydro, charcoal (wood), and tides. Animal power and peat would not be covered by separate panels. These panels would consist of 6-12 persons nominated by governments and based on equitable geographic distribution. The work of the technical panels is to be coordinated by the permanent staff. However, the CNRET has proposed that ad hoc meetings of panel chairmen should also be arranged periodically for coordination purposes but particularly for discussions of broad policy questions.

As part of a UN coordination effort, in interagency group meeting will be convened two or three times per year in the preparatory phase.

The development, commercialization, and use of new energy technologies--particularly those that use renewable energy sources--has been a major concern of U.S. domestic and international energy policy. Both industrial and developing countries have shared a common interest in developing alternatives to oil and in expanding indigenous energy production. The interest of developing countries also reflected a more general desire to increase their scientific and technological capabilities and to gain access at the lowest cost to the Western technology necessary for their social, industrial, and agricultural development. The 1981 UN Conference on New and Renewable Energy is seen as an opportunity for sustained multilateral discussions between and among industrial and developing countries on the present and future potential of new and renewable energy forms as well as the institutional mechanisms for intensifying national and global efforts in this field.

#### SCIENCE AND TECHNOLOGY IN THE UN SYSTEM

The preparatory committee for the UN Conference on Science and Technology for Development (UNCSTD) held its second session in Geneva, January 23 to February 3, 1978. The committee, which is open to the participation of all states and in which the United States was active, adopted a number of resolutions and decisions related to preparatory activities for the conference which will be held in Vienna, Austria, in August 1979. On the basis of recommendations made by the five regional economic commissions, the preparatory committee adopted a resolution establishing five subject areas illustrative of problems of development which could be resolved with the application of science and technology. This resolution, which was subsequently endorsed by the 33rd session of the General Assembly, included the subject areas: (1) food and agriculture; (2) natural resources including energy; (3) health, human settlements, and environment; (4) transport and communications; and (5) industrialization, including production of capital goods.

The preparatory committee also adopted a resolution requesting

the secretary general of the conference to prepare a draft program of action, within the conference agenda, which eventually would be adopted by the conference and which would take fully into account certain areas in which obstacles may arise in the application of science and technology for the development of developing countries and which would require action at the national, regional, and global levels. Possible obstacles at the national level would relate to (1) infrastructure and regulation of science and technology research and development, (2) systems for education and training, (3) availability of entrepreneurs and managerial skills, (4) information systems in science and technology, and (5) capability and criteria for the choice of technology.

Obstacles at the regional level would relate to (1) identification of problems of common interest, (2) economic and technological cooperation agreements among member states, and (3) joint investments in research and development programs of common interest.

Obstacles at the global level would relate to (1) appropriateness of programs for education and training of personnel from developing countries in developed countries; (2) migration of talents and skills from developing countries; (3) financial resources, the role of international financial institutions and nature of financial assistance; (4) investments in the field of science and technology in developing countries; (5) standards and practices in the transfer of technology; and (6) industrial property assistance and licensing assistance.

The resolution also called upon all member states to submit by May 1, 1978, a first version of their national papers and the final version by August 1, 1978. National papers were to contain action oriented proposals for removing obstacles in the application of science and technology to development and to insure that the views of member states are fully taken into account in the preparation of the program of action.

The General Assembly adopted a resolution on preparations for the Conference which took into account the recommendations contained in the report of the Preparatory Committee. The draft resolution was approved in the Second Committee on December 13 and adopted in plenary session on January 29, both without a vote. (Resolution 33/192.)

#### UNITED NATIONS UNIVERSITY

The UN University is jointly sponsored by UNESCO and the United Nations. Its charter was adopted by the General Assembly in 1973, and the University became operational in 1975. Its purpose is to promote international understanding of global problems and collaboration among the scholars, scientists, and institutions that are addressing these problems. It comprises a University Center in Tokyo for planning and program coordination and worldwide networks of associated academic and research institutions. It funds advanced training fellowships and multidisciplinary research projects; disseminates information about research that is being undertaken; and serves as a nongovernmental world forum for the discussion of global problems such as hunger, energy, and development. The University is headed by a Rector, Dr. James M. Hester (U.S.), and is governed by a



Council of distinguished educators and scientists, appointed by the UN Secretary General, who serve in a personal capacity for a 6-year term. 16/

The University Council has approved three general priority areas for the University's programs: world hunger, human and social development, and the use and management of natural resources. The University has consulted with other UN organizations and regional organizations and used advisory committees of experts to develop programs in these areas.

The World Hunger Program has made substantial contributions to knowledge about human nutrition requirements, post-harvest food conservation and nutrition and food policy planning. The Program expanded its network of associated institutions from three to eight; completed during 1977-78 the advanced training of 20 United Nations University Fellows and 7 Senior Fellows at institutions in Guatemala, India, and the Philippines; and started the training of 30 other Fellows. It completed seven research projects by Fellows and two others by research grantees. It also held a meeting in Mexico on the impact of food price policies on nutrition and another meeting in Hungary on interfaces of agriculture, food science and nutrition.

Through the Human and Social Development Program, the University initiated its role as a world forum on development issues and ideas. The Program started research projects involving scholars in some 50 universities and research institutions in some 40 countries. Five associated institutions were established in Argentina, Mexico, Sri Lanka, Switzerland, and Venezuela. Two meetings of its Advisory Committee were held, as well as several project meetings and the first UN University regional seminar for Latin American scholars in Mexico City. Activities were launched leading to an education program on development among all three programs of the University.

Under the Natural Resources Program, initial research projects were commissioned which were designed to improve the organization and application of existing knowledge to energy and ecology needs of the developing world. The first associated institution was established in Costa Rica, and associations are being negotiated in Algeria, Iceland, Indonesia, Iran, Nigeria, Papua New Guinea, the Sudan, and Thailand. A fellowship training program was established and planning meetings and workshops were held. A solar energy information service operating from Japan is now being set up, and a handbook on the state of the world's natural resources is in preparation.

The University disseminates information about its programs and activities through a bimonthly newsletter, a variety of reports and technical workshops, and a series of consultative meetings designed to inform and consult with academic, scientific, and government leaders throughout the world.

The University's activities are financed by income derived from a central endowment fund established through voluntary contri-

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16/ Mr. Edward W. Weidner, Chancellor of the University of Wisconsin, Greenbay, Wisconsin, is a member of the UN University Council.



butions . By the end of 1978 pledges and contributions to this fund totalled approximately \$136 million of which \$100 million was pledged by Japan. Other major donors are Venezuela, Austria, Saudi Arabia, Sudan, Ghana, and Senegal. The United States has not yet contributed to the University's endowment fund.

At four meetings between October 20 and December 5 the Second Committee of the 33rd General Assembly considered the report of the UN University Council on its progress and work during its third year of operation. On December 5 the Committee approved without vote a draft resolution, introduced by the Philippines and sponsored by 23 states, that (1) noted with satisfaction the fact that the program activities of the University were making steady progress on all three priority areas; (2) urged the University to continue to concern itself with activities taking place in the UN system, thereby further developing its cooperative relationships with bodies of the system and orienting its program activities in the direction of urgent concerns of member states; (3) appealed to all member states to make substantial contributions to the University's endowment fund; and (4) requested the Secretary General and the Director General of UNESCO, as well as the Rector of the University, to continue to intensify their efforts to obtain financial support for the University from all possible sources. On December 18 resolution 33/108 was adopted without vote by the General Assembly in plenary session.

Another draft resolution entitled "Establishment of the University for Peace" was introduced on November 30 by Costa Rica on behalf of 18 states. The draft noted that the President of Costa Rica had proposed, in his statement in plenary Assembly at the 33rd session, the creation of a university for peace, as a great specialized international center for advanced studies within the system of the UN University, whose primary object would be to educate for peace. The resolution also, inter alia, (1) took note with appreciation of the proposal; (2) requested the Secretary General to transmit the text of the proposal to member states, UNESCO, and the Rector and Council of the UN University and others he may deem appropriate for communication of their views to him; and (3) also requested the Secretary General to submit a report, through ECOSOC to the 34th General Assembly. The draft was approved without a vote on December 5 in Committee and adopted by the Assembly, also without a vote, on December 18 as resolution 33/109.

#### UN INSTITUTE FOR TRAINING AND RESEARCH

UNITAR has three main programs: research directed toward current needs and interests of the international community; training courses and seminars developed for UN Missions and Secretariat personnel; and the "Project for the Future" concerned with long-term policy choices.

The UNITAR Board of Trustees, which sets overall policy and approves the budget, is composed of individuals appointed by the UN Secretary General on a broad geographical basis for 3-year terms. The current 22-member Board took office July 1, 1976. 17/ The Board

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17/ Harvey Picker, Dean of the Faculty of International Affairs at Columbia University, is a member of the Board.

has four ex officio members: the Secretary General; the President of the General Assembly; the President of ECOSOC; and the Executive Director of UNITAR (Davidson Nicol of Sierra Leone).

At its 17th session, held in New York, September 12-15, 1978, the Board of Trustees approved the Executive Director's budget estimates for 1979 totaling \$2,236,300 and authorized him to incur additional expenditures from special-purpose grants to the extent that such funds became available. The United States contributed \$500,000 to the General Fund in 1978 and pledged \$500,000 for 1979.

In 1978 the Research Department carried out its work through three program areas: (1) the United Nations and the new international economic order; (2) multilateral cooperation for development; and (3) international law, security and diplomacy. Research emphasized short-range, action-oriented methods of economic and social development and cooperation. Collaborations with other research institutes and universities around the world were strengthened.

UNITAR seeks wide dissemination of its research work. Besides numerous publications distributed through UN channels, books published during 1978 included: The Brain Drain: Emigration and Return by William Glaser; Protecting the Human Environment: Procedures and Principles for Preventing and Resolving International Controversies by Aida Luisa Leven; and Dispute Settlement through the United Nations.

Eight book-length studies--on such topics as The United Nations and Decision-making: Role of Women; Cooperation for Development: Arab Development Funds in the Middle East; Multinational Enterprises; and Conflict Management in the Ocean--were completed during the year.

UNITAR continued its important training function by offering courses and seminars on such issues as: economic development and its international setting; law of the sea; the new international economic order; and international law for the Caribbean region. Between July 1977 and June 1978 there were 565 participants in UNITAR training activities with more than ten each coming from Argentina, Barbados, Egypt, France, Germany, Iraq, Libya, Poland, U.S.S.R., United Kingdom, and the United States.

The Project on the Future is now focused on two basic subjects, the first concerned with long-term policy choices, the second related to the supply aspects of energy and natural resources. An innovative study on "Technology, Domestic Distribution and North/South Relations" is being conducted as part of the collective effort of the UN system on long-term objectives.

After holding three conferences on energy and natural resources development during the previous year, the Project on the Future concentrated on disseminating the results of the conference and on other activities. The volume of technical papers presented to the Conference on the Future Supply of Nature-Made Petroleum and Gas was published by Pergamon Press, and a translation for an edition in Russian was begun in 1977. The papers of the Conference on Alternative Strategies for Desert Development and Management are being edited for publication in 1978. An abridged version of the Desert Conference papers in French is also being prepared. (The report of the Seminar on Microbial Energy Conversion was issued

during 1977.) The Project on the Future also sponsored a lecture series on issues of technology and energy development. During 1977-78, lectures were given on the role of industrial research in the future; the potential of magma as an energy source in the future; and institutional and political conflicts in the development of off-shore oil fields. In addition, the Project on the Future publishes a bulletin "Important for the Future", five times a year.

The Second Committee of the 33rd General Assembly considered the report of UNITAR at three meetings between October 15 and November 16. On November 16 it approved without a vote a draft resolution introduced by Norway and ultimately sponsored by 22 states, including the United States, that (1) welcomed the emphasis and urged the continuation of the work of UNITAR "in the sphere of economic and social training and research and the inclusion of specific projects on the problems in the areas identified by the General Assembly at its 6th and 7th special sessions and in the relevant decisions of the Assembly at its 29th session" and (2) expressed the hope that UNITAR would have greater and wider financial support from member states and organizations. Resolution 33/20 was adopted by the Assembly without vote on November 29.

### HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

The year 1978 marked the thirtieth anniversary of the adoption by the United Nations General Assembly on December 10, 1948, of the Universal Declaration of Human Rights. At a special ceremony held in the White House on December 6, 1978, President Carter emphasized the prominent place assigned to human rights in United States foreign policy:

"... But I want to stress again that human rights are not peripheral to the foreign policy of the United States. Our human rights policy is not a decoration. It is not something we have adopted to polish up our image abroad, or to put a fresh coat of moral paint on the discredited policies of the past.

"Our pursuit of human rights is part of a broad effort to use our great power and influence in the service of creating a better world--a world in which human beings can live in peace, in freedom and with their basic needs adequately met.

"Human rights is the soul of our foreign policy--because human rights is the very soul of our sense of nationhood . . ."

Another presidential statement highlighting the Administration's commitment to human rights appeared on February 23, 1978, when the President transmitted to the Senate for advice and consent to ratification three United Nations human rights treaties (the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights. A fourth convention, the American Convention on Human Rights, was also included in the message of transmittal.) In his message, President Carter noted that "by giving its advice and consent to ratification of these treaties, the Senate will confirm our country's traditional commitment to the promotion and protection of human rights at home and abroad."

In 1978, representatives of the United States in the United Nations were active participants in the work of the various bodies devoted to the promotion of human rights.

The 34th regular session of the Commission on Human Rights 18/ met in Geneva February 6-March 10, 1978. The new U.S. Representative

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<sup>18/</sup> Members in 1978 were Australia, Austria, Brazil, Bulgaria, Canada, Colombia, Cuba, Cyprus, Egypt, France, India, Iran, Ivory Coast, Jordan, Lesotho, Libya, Nigeria, Pakistan, Panama, Peru, Poland, Rwanda, Senegal, Sweden, Syria, Turkey, Uganda, U.S.S.R., United Kingdom, United States, Uruguay, Yugoslavia.



was Edward M. Mezvinsky.

Human Rights issues were next considered by the 1st regular session of ECOSOC, 1978, which met in New York April 11-May 5. Finally, the Third Committee of the 33rd General Assembly, meeting in the fall of 1978, had a heavy agenda of human rights items. The Subcommittee on Prevention of Discrimination and Protection of Minorities, an expert sub-group of the Commission on Human Rights, met in its 31st regular session in Geneva August 28-September 15, 1978.

#### OVERALL ANALYSIS OF THE HUMAN RIGHTS PROGRAM

A major undertaking of the Human Rights Commission was set in motion at its 34th session when it adopted without a vote resolution 23 (XXXIV). In doing so, the Commission was carrying forward an in-depth examination of its program and methods of work begun several years earlier, as well as carrying out a task placed upon it by the General Assembly.

At its 33rd session, the Commission had requested a report from the Secretary General summarizing and analyzing all proposals previously submitted relating to the question of the program and methods of work of the Commission. At the 32nd General Assembly, during its consideration of the item relating to alternative approaches and ways and means within the UN system for improving the effective enjoyment of human rights and fundamental freedoms, the Assembly adopted resolution 32/130. This resolution requested the Human Rights Commission to undertake at its 34th session, as a matter of priority, an overall analysis of the alternative approaches. The analysis was to be made in the light of the concepts contained in resolution 32/130. These concepts had been drawn up by the General Assembly in the expectation that the approach to the future work within the United Nations with respect to human rights questions should take them into account.

Acting upon the Assembly's request, the Human Rights Commission began, but did not come near to completing, a discussion of the very far-reaching and basic elements of two items relating to (a) its own program and methods of work, as well as (b) the ways and means for improving the United Nations human rights structure as a whole. The Commission's inaugural discussion was ended by the adoption of a resolution which decided to continue at its 35th session, as a matter of priority, its work on the overall analysis. To carry out this work, the Commission decided to set up an open-ended working group to meet a week immediately before the 35th Commission session. As documentation for the working group, the Secretary General was requested to prepare a number of reports based upon information to be supplied to the United Nations by specialized agencies, as well as the views, suggestions and proposals expressed by governments represented at the 34th Commission session. While this decision was essentially a procedural one, the stage was now set for a thorough-going consideration of the controversial concepts included in resolution 32/130, which had led to the U.S. abstention in the vote on that resolution. Briefly, these concepts, in somewhat ambiguous fashion, appeared to seek to establish a hierarchy of human rights as among civil and political, economic, social and cultural, and individual and group rights. The ambiguity in

resolution 32/130 would have to be resolved by the follow-up action of the Commission.

A related matter which, although not directly mentioned in the resolution adopted by the Commission but involved as a part of the proposals for improving machinery to be considered, was the proposal for a High Commissioner for Human Rights. This proposal was not formally discussed at the 34th Commission session, but the U.S. Representative made clear when voting upon resolution 26 (XXXIV) that nothing contained in it could be understood to preclude consideration by ECOSOC or the General Assembly at any time this or any other subjects or proposals.

At the 33rd General Assembly, the proposal for a United Nations High Commissioner for Human Rights was briefly considered.

On December 5, Guatemala introduced a draft resolution sponsored by three states which requested the Human Rights Commission to take into account, in continuing its work on an over-all analysis (of alternative approaches and ways and means within the UN system for improving the effective enjoyment of human rights and fundamental freedoms in the light of concepts enumerated in A/RES/32/130), views expressed during present debate, including a post of UN High Commissioner for Human Rights, and decided to consider the question again after the Commission has completed and/or reported on the overall analysis.

Speaking in the Third Committee, the U.S. Representative, Brady Tyson, said that President Carter had asked the United Nations to take up again a proposal on the establishment of a post of High Commissioner. The United States believed that the time had come to translate that idea into reality, working within the constraints of the Charter and with full respect for the sovereignty of member states. The High Commissioner would not be empowered to interfere in the internal affairs of any country, but would be concerned with the protection and promotion of human rights in all countries and regions of the world. Cooperation with the High Commissioner would be the same as cooperation with the High Commissioner for Refugees.

The draft resolution was approved by consensus on December 5 and adopted without a vote in the Assembly on December 16 as resolution 33/105.

#### REGIONAL ARRANGEMENTS

The existing regional human rights organs in Europe and America constitute essential components for complementing and providing balance to the worldwide efforts of the United Nations to promote human rights. A basic facet of U.S. human rights policy in the United Nations has been to encourage the establishment of regional human rights organs in those regions of the world where they do not now exist. This goal received significant support at the 34th Commission session when the Commission adopted without a vote its resolution 24 (XXXIV). The resolution was cosponsored by Cyprus, Egypt, Lesotho, Nigeria, Senegal, Sweden, and the United Kingdom. The resolution requested the Secretary General to consider the possibility of arranging suitable regional seminars under the

program of advisory services in the field of human rights in those regions where no regional commission on human rights exists at present, for the purpose of discussing the usefulness and advisability of the establishment of regional commissions on human rights. The Secretary General was further requested to take appropriate steps to give the Organization of African Unity, if it so requests, such assistance as it may require in facilitating the establishment of a regional commission on human rights for Africa. The action taken by the Commission in this regard was partly in support of a resolution adopted the previous year by the 32nd General Assembly (resolution 32/127), which had appealed to states to consider agreements with a view to the establishment of regional human rights machinery in those regions where such machinery does not yet exist.

At its 33rd session, the General Assembly took note of the Commission's action. On November 30, Nigeria introduced a draft resolution entitled "Regional arrangements for the promotion and protection of human rights". The draft was ultimately sponsored by 24 states, including the United States. The draft resolution repeated its request to the Secretary General to organize a seminar on regional human rights commissions. The repeated request was made because of the report issued by the Secretary General noting his inability to organize the desired seminar because of financial difficulties. The resolution stressed the importance of the speedy and effective implementation of its resolutions on the question of regional arrangements. The draft resolution was approved in the Third Committee without a vote on December 12 and adopted in the plenary by consensus on December 20 as resolution 33/167.

#### HUMAN RIGHTS IN CHILE

The subject of human rights in Chile, first considered in the United Nations by the Human Rights Commission in 1974, was again a major item on the agenda of its 1978 session. The Commission had before it the third report prepared by its Ad Hoc Working Group <sup>19/</sup> established in 1975 to examine the situation of human rights in Chile. As noted by the U.S. Representative, Mr. Mezvinsky, the report established that a measure of improvement had taken place in the human rights situation in Chile. However, he noted that the human rights picture presented by the group was still depressing and still fell short of the situation which existed in Chile for so many years, when the Government of Chile was a leader in the United Nations in supporting actions to promote and protect human rights. Mr. Mezvinsky referred especially to the impasse which had developed between the Ad Hoc Working Group and the Government of Chile, and he called for renewed efforts to arrange for a visit by the Working Group to that country. The United States joined with Austria, Sweden, and the United Kingdom in sponsoring a draft resolution. The draft contained the conclusion that flagrant violations of human rights continue to take place in Chile, and repeated previous calls upon the Chilean authorities to restore and safeguard without delay basic human rights. It drew special attention to the troublesome problem of the

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<sup>19/</sup> Ghulum Ali Allana (Pakistan), Leopoldo Benites (Ecuador), Felix Ermacora (Austria), Abdoulaye Biéye (Senegal), and Mrs. M.J.T. Kamara (Sierra Leone).



disappeared persons in Chile; extended for one year the mandate of the Ad Hoc Working Group; and called upon the Chilean authorities to admit it into Chile. The draft resolution was adopted by a rollcall vote of 24 (U.S.) to 3, with 4 abstentions. A companion resolution under the same agenda item was put forward by Cyprus and Sweden. This draft invited ECOSOC to recommend that the General Assembly establish a voluntary fund for Chile. The fund would be administered under the supervision of a board of trustees. As stated in the resolution, the purpose of the fund would be to receive contributions and distribute through established channels of assistance humanitarian, legal, and financial aid to persons whose human rights have been violated by detention or imprisonment in Chile, to those forced to leave the country, and to relatives of persons of the foregoing categories. This resolution was adopted by a vote of 21 to 3, with 6 (U.S.) abstentions. The United States explained its abstention in the vote on this resolution as being based upon our belief that the creation of a United Nations fund to care for the victims of human rights violations should not be restricted to Chile. The U.S. Representative noted his view that the creation of a general UN fund to support victims of human rights violations throughout the world would have been a more appropriate recommendation coming from the Commission on Human Rights. He said that the United States would be prepared to join with other members of the Human Rights Commission in exploring the structure and purpose of such a fund.

At the 1st regular session of ECOSOC, 1978, the Commission's recommendation for the establishment of the Chile Trust Fund was endorsed. (E/RES/1978.15.)

The subject of human rights in Chile was also a major item considered at the 33rd General Assembly as a part of its debate on the "Report of ECOSOC." The Third Committee considered a draft resolution entitled "Protection of human rights in Chile" introduced by a single sponsor, Sweden. The draft resolution was very much along the lines of previous ones adopted by the General Assembly in calling for the basic restoration of fundamental human rights in Chile. It introduced a significant new departure, however, in its invitation to the Human Rights Commission to substitute for its Ad Hoc Working Group a Special Rapporteur, who would have essentially the same mandate as that originally laid down for the Ad Hoc Working Group. The Assembly also asked the Commission to consider the most effective ways of clarifying the whereabouts and fate of missing and disappeared persons in Chile. The draft resolution was approved on December 12 by the Third Committee by a vote of 87 (U.S.) to 8, with 34 abstentions. The plenary vote on December 20 was 96 (U.S.) to 7, with 38 abstentions. (Resolution 33/175.) In explaining our favorable vote in the Third Committee, the U.S. Representative noted that the United States had been prepared to cosponsor the resolution but desisted upon the request of the delegation of Sweden, which wished to maintain itself as the sole sponsor, thus permitting a maximum number of explanations of votes to be made.

#### RACISM IN SOUTHERN AFRICA

The issue of racism, particularly as it exists in southern Africa, occupied its customary prominent place on the agenda of the



34th Human Rights Commission session. The Commission focused its action upon two reports, one received from its Ad Hoc Working Group of Experts <sup>20</sup>established at its 23rd session in 1967 to investigate human rights abuses throughout southern Africa, and a report of a Special Rapporteur of the Subcommission on Prevention of Discrimination and Protection of Minorities on adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist regimes in southern Africa. In both cases, the resolutions, proposed principally by the African members of the Commission, contained less extreme language than at previous sessions, and both resolutions were adopted without serious controversy. The resolution based upon the report of the Ad Hoc Working Group of Experts contained the usual denunciations of inhuman treatment of freedom fighters in South Africa and of ill-treatment in South Africa, Namibia, and Zimbabwe. The resolution was adopted by a vote of 26 to 0, with 4 (U.S.) abstentions. The U.S. abstention rested mainly upon the fact that two of the operative paragraphs in the resolution endorsed by reference partly objectionable declarations and programs previously adopted by special ad hoc conference sessions, in one case outside the United Nations. The resolution dealing with adverse consequences of assistance to colonial and racist regimes in southern Africa contained a blanket endorsement of the Special Rapporteur's report, a report which was seriously critical of the commercial-economic-nuclear relations maintained by Western governments with South Africa. The resolution gave special encouragement to the preparation of a general list identifying those whose activities constitute assistance to colonial and racist regimes in southern Africa. The vote on the resolution was 26 to 0, with 3 (U.S.) abstentions. The U.S. abstention was based upon the grounds expressed at previous United Nations meetings when earlier drafts of this same report had been discussed, to the effect that the extreme conclusions of the Special Rapporteur critical of Western policies were unacceptable.

At the 33rd General Assembly, items dealing with the racial situation in southern Africa likewise featured prominently in the agenda of the Third Committee. Here, too, a draft resolution (ultimately sponsored by 28 states) dealing with the adverse consequences of assistance to colonial and racist regimes in southern Africa was introduced by Burundi on November 16. Unlike the resolution adopted by the Human Rights Commission, the resolution was much more specific in the use of extreme language condemning policies of Western states and the activities of multinational corporations in their political, economic, military and nuclear relations with South Africa. In fact, the resolution asserted that states which give assistance to colonial and racist regimes in southern Africa "become accomplices in the inhuman practices of racial discrimination, colonialism and apartheid perpetuated by those regimes." The draft resolution was approved by a vote of 100 to 7 (U.S.), with 22 abstentions.

In explanation of vote, the U.S. Representative, Michael Hoyt, said his country remained committed to the achievement of independence and self-determination by the peoples of southern

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<sup>20/</sup> Felix Ermacora (Austria), Humberto Díaz Casanueva (Chile), Annan Arkyin Cato (Ghana), Amjad Ali (India), Kéba M'Baye (Senegal), and Branimir Janković (Yugoslavia).

Africa. Despite that, however, his delegation had voted against the draft resolution because it could not accept a number of its implications. He also said that criticism of certain industrialized countries for their relations with South Africa had been made without an attempt to make an objective analysis of the effects of political, trade, and other relations.

Resolution 33/23 was adopted in plenary on November 29 by a recorded vote of 100 to 7 (U.S.), with 22 abstentions.

Three other resolutions dealing with the racial situation in southern Africa were introduced into the Third Committee. The first entitled "Migratory labor in southern Africa" had been transmitted by ECOSOC. This resolution endorsed a Charter of Rights for migrant workers in southern Africa. On December 4 the draft resolution was approved in the Third Committee without a vote, and adopted without a vote as resolution 33/162 in plenary on December 20.

The second draft was introduced by Zambia on December 8. Entitled "Assistance to South African student refugees," the draft resolution, ultimately sponsored by 34 states, was approved on December 12 without a vote in the Third Committee. It was adopted on December 20 in plenary without a vote as resolution 33/164.

The final draft resolution entitled "Status of persons refusing service in military or police forces used to enforce apartheid" was introduced by Ghana on December 8 and sponsored by 10 states. The Third Committee approved the draft resolution without a vote on December 12, and it was adopted as resolution 33/165 by the Assembly, again without a vote.

#### HUMAN RIGHTS IN THE OCCUPIED TERRITORIES OF THE MIDDLE EAST

Another subject which has been regularly discussed in the Human Rights Commission since 1968 is that relating to the allegations of human rights violations in the occupied Arab territories in the Middle East. As at previous sessions, the customary pattern of resolutions was repeated. A resolution broadly condemnatory of alleged Israeli policies and practices in the occupied territories was proposed, as well as a separate one affirming the application to the occupied territories of the Geneva Convention relative to the protection of civilian persons in time of war. At the 34th session, a companion resolution was also proposed under the item relating to self-determination, which item had been considered jointly with the occupied territories item. The omnibus resolution concerning alleged Israeli human rights violations in the occupied territories was adopted by a vote of 23 to 2 (U.S.), with 7 abstentions. The separate resolution concerning the applicability of the Geneva Civilian Persons Convention was adopted without a vote. The resolution proposed under the self-determination item which, in its principal operative paragraphs affirmed the inalienable right of the Palestinian people to self-determination without external interference and the establishment of a fully independent and sovereign state in Palestine, and affirmed as well the inalienable right of the Palestinians to return to their homes and property from which they had been displaced and uprooted, was adopted by a vote of 25 to 3 (U.S.), with 4 abstentions. The U.S. Representative made no explanation of his vote, since the U.S. position opposing

blanket condemnations of alleged Israeli practices without full and objective investigation has been repeatedly stated for the record. Speaking during the general debate on the two agenda items, Mr. Mezvinsky said:

"Underlying the dangerous situation which exists today in the Middle East is the overriding need for a just and lasting peace in that region. We hope this Commission will act in such a way as to promote movement toward that goal. Ultimately, a thoroughly satisfactory solution to the human rights issues raised by the present occupation can only be achieved through negotiation of a just and comprehensive settlement of these political problems which is acceptable to all the parties concerned, including the Palestinians."

At the 33rd General Assembly, another discussion relating to human rights in the Israeli occupied territories took place. Here the discussion has customarily been pursued not in the Third Committee, the committee which deals with human rights matters, but in the Special Political Committee. (A summary of the developments at the 33rd United Nations General Assembly under this item appears on p. 13 ).

#### NATIONAL INSTITUTIONS IN THE FIELD OF HUMAN RIGHTS

At the 34th Human Rights Commission session, the delegation of India proposed that the Commission turn its attention in a new direction, toward emphasizing the value of national institutions for promoting human rights. The Indian initiative was presented during the Commission's consideration of its future work program and methods of work. The Indian initiative was welcomed and encouraged by the United States delegation, which saw in the Indian proposal for national institutions an extremely useful supporting device to the multilateral efforts to strengthen national human rights programs. The resolution, as proposed by the delegation of India and other cosponsors, contained an annex which listed some of the functions which could be performed by national institutions. It was decided that a Seminar on National and Local Institutions in the Field of Human Rights should be held in September 1978, and should, as a part of its task, suggest certain possible guidelines for the structure and functioning of national institutions. It was further provided that the matter should be considered again by the Commission at its next session, in the light of comments which would be supplied by member states upon the guidelines which were to be prepared by the seminar. The Indian-proposed resolution was adopted without a vote. The seminar called for in the resolution was held in Geneva, September 18-29, 1978. The seminar was attended by participants nominated by 26 member governments, including participants from the United States. The seminar approved by consensus a set of guidelines for the structure and functioning of national institutions.

#### THE HUMAN RIGHTS OF MIGRANT WORKERS

A subject which has been the object of increasingly careful



attention by the Commission and the General Assembly is that of the human rights of migrant workers. At the 34th Commission session, an Ad Hoc Working Group was formed under the chairmanship of the representative from Turkey, a government which has shown special interest in this problem. The Working Group discussed various proposals for strengthening the protections of the human rights of migrant workers and proposed for the Commission a two-part draft resolution which was subsequently adopted without a vote. The first part constituted a general appeal to member states to take immediate measures to insure the human rights and dignity of all migrant workers, including especially the promotion of the normalization of the family life of migrant workers. The second part recommended the establishment of an open-ended working group to meet in December 1978, and, as a working document for the deliberations of that working group, requested the Secretary General to prepare a consolidated report, including proposals which would enable the Commission to define the scope of its future action. The Commission's action on this matter was partly responsive to the decision taken by the General Assembly at its 32nd session (resolution 32/120), in which it recommended that the Human Rights Commission should consider the question fully and in depth, in collaboration with the ILO, UNESCO, and other interested agencies of the United Nations system.

At the 33rd General Assembly, the subject was again considered. The consideration of the matter in the Third Committee centered upon a draft resolution introduced by Algeria on December 8. The draft was ultimately sponsored by 19 states. This draft resolution reiterated the appeals addressed to member states to take measures to protect the human rights of migrant workers, and called for concrete proposals from the Commission on Human Rights. The draft resolution further called upon states to give consideration to ratifying the ILO Convention on Migrant Workers (Supplementary Provisions), adopted in 1975. Finally, the Secretary General was requested to explore with member states, and in cooperation with UN agencies, particularly the ILO, the possibility of drawing up an International Convention on the Rights of Migrant Workers. During the discussion of the draft resolution, the representative of the ILO expressed the reservations of his organization with respect to the call for a new convention which, he objected, was contradictory to another operative paragraph which called for ratification of the existing ILO convention on the same subject. Resolution 33/163 was adopted on December 20 by a vote of 124 to 0, with 14 (U.S.) abstentions. The United States abstention was based upon the fact that the U.S. Government in the International Labor Organization had not supported the ILO Migratory Labor Convention mentioned in one of the operative paragraphs of the resolution.

#### DRAFTING INTERNATIONAL INSTRUMENTS--RELIGIOUS INTOLERANCE

There has been underway for a number of years in the Human Rights Commission an effort to draft a Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. The latest exercise was undertaken by the Commission in 1974 in response to a request made to it by the General Assembly in resolution 3069 (XXVIII), adopted in November 1973. The drafting exercise has proceeded at a snail's pace, due in large part to the delaying tactics followed by a number of governments represented on



the Commission that seem determined to resist a successful conclusion of the project.

At the 34th Human Rights Commission, a drafting working group was once again established, and took up the first substantive article of the draft declaration (the complete preamble having been completed at previous sessions). The working group was unable to report agreement on the text of Article 1.

### TORTURE

At the 34th session, the Commission responded to the request made by the General Assembly in its resolution 32/62, that it draw up a draft Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in the light of the principles embodied in the Declaration on the Protection of All Persons From Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Commission had before it the text of a draft Convention which had been proposed by the delegation of Sweden. A first reading of the draft Convention was carried out by a sessional working group which the Commission established at the beginning of its session. On the recommendation of its working group, the Commission decided to seek comments from member governments on the draft Convention and proceed with the drafting exercise at its next session, assisted by a working group which would meet a week in advance of the next session.

### RIGHTS OF THE CHILD

At the 34th session, the Commission, upon the initiative of the delegation of Poland, added a new item to its agenda entitled, "Question of a Convention on the Rights of the Child." Following up on its initiative, the Polish delegation proposed to the Commission a draft Convention on the Rights of the Child, which it urged should be promptly adopted as a special act of commemoration of the International Year of the Child. No substantive discussion of the Polish draft convention took place at the Commission session. The Commission approved, without a vote, a draft resolution requesting circulation of the Convention to member governments for comment and decided to continue at its following session, as one of its priorities, its consideration of the draft Convention, with a view to concluding, if possible, a Convention at that session for transmission to the General Assembly, through ECOSOC.

### RIGHTS OF MINORITIES

At the 34th Human Rights Commission session, the representative of Yugoslavia proposed the inclusion in the agenda of a new item entitled, "Rights of Persons Belonging to National, Ethnic, Religious and Linguistic Minorities." Following up on his initiative, the delegation of Yugoslavia presented a draft Declaration on the Rights of Persons Belonging to National, Ethnic, Religious and Linguistic Minorities. Responding to the proposal of the delegation of Yugoslavia, the Commission decided to create a sessional working group to consider the draft Declaration. The discussion which took place

in the working group on the Declaration was preliminary, all participants accepting that it was not feasible to elaborate a draft Declaration at the current session. The Commission decided without a vote to transmit the draft Declaration to governments for comment and to consider the item further at its next session.

#### VIOLATIONS OF HUMAN RIGHTS

Annually on each agenda of the Human Rights Commission appears an item dealing with violations of human rights and fundamental freedoms in any part of the world. Under this item there are usually discussed cases of individual human rights violations, either pursuant to the special confidential procedures authorized in ECOSOC resolution 1503 (XLVIII) or pursuant to the normal public procedures following upon an initiative taken by any member government. At the 34th Human Rights Commission, the delegation of the United Kingdom raised the question of human rights violations in Democratic Kampuchea. The British Minister of State, who made a special appearance to discuss the matter, proposed that the Commission decide to appoint a Special Rapporteur to investigate the widespread reports of human rights violations in Democratic Kampuchea. The British initiative was strongly supported by the United States. Extensive negotiations ensued on the content of a draft resolution which might receive the general support of the Commission. In the end, the Commission decided, without a vote and upon the proposal of its Chairman, to request the Secretary General to transmit to the Government of Democratic Kampuchea the documents and summary records of the 34th session of the Commission relating to the human rights situation in that country, with a view to inviting that government to send its comments and observations and to transmit the response of the Government of Democratic Kampuchea, together with all the information that might be available about the situation, to the Commission at its 35th session, through the Subcommittee on Prevention of Discrimination and Protection of Minorities.

Also under this item, the Commission undertook once again to look into the question of human rights in Cyprus. Negotiations on a draft resolution were carried out mainly in the corridors, and there was no general discussion of the matter in the Commission itself. The Commission disposed of the issue by adopting, without a vote, a resolution which reiterated its previous calls for the full restoration of all human rights to the population of Cyprus, in particular to the refugees. The Commission also expressed its appreciation to the Secretary General for his efforts and expressed the hope that steps would continue in the search for a lasting peaceful solution to the Cyprus problem.

Under the confidential 1503 procedures, the Commission devoted an unusually large number of meetings to the consideration of the situation which had been referred to it by its Subcommittee on Prevention of Discrimination and Protection of Minorities. While the details of its discussions and the actions taken by the Commission were not made public, at the conclusion of its closed sessions the Chairman was authorized to make public the fact that the Commission had taken action pursuant to the confidential 1503 procedures on situations involving Bolivia, Equatorial Guinea, Malawi, Republic of Korea, Ethiopia, Indonesia, Paraguay, Uganda, and Uruguay.

## THE UN'S DECADE AGAINST RACISM

Ever since the adoption by the General Assembly at its 30th session in 1975 of resolution 3379, in which it was determined that "Zionism is a form of racism and racial discrimination," the U.S. policy has been one of non-participation in the United Nations Decade for Action to Combat Racism and Racial Discrimination. This has meant that U.S. representatives in United Nations human rights forums do not participate in the discussion of or voting on resolutions relating to the Decade. At its 34th session, the Human Rights Commission discussed and adopted a resolution on the Decade which focused upon the upcoming World Conference to Combat Racism and Racial Discrimination, scheduled to be held, as a principal event of the Decade, in Geneva in August 1978. The Commission's resolution, which was adopted without a vote (with the United States not participating), contained a number of suggestions for consideration by the World Conference.

### The World Conference

The World Conference met in Geneva from August 14-25, 1978. The United States did not take part in this Conference. The Conference adopted two principal documents, a Declaration and a Program of Action. Proceedings at the Conference reached a dramatic climax when a walk-out from the Conference committee, which was debating the draft Declaration, took place of the representatives of the nine members of the EEC, as well as of Australia, Canada, and New Zealand. The walk-out was occasioned by the adoption by the committee of two paragraphs containing excessive and polemic language directed at the policies of the State of Israel. Subsequent to the walk-out, the Conference adopted by a vote of 88 to 4, with 2 abstentions its Declaration and Program of Action. The Secretary General's report on the Conference was an item on the agenda of the 33rd General Assembly.

The Third Committee's discussion of the matter centered upon two draft resolutions. The first, introduced on November 30 by Ghana, had been drafted to avoid the controversy which had surrounded the content of the draft Declaration by omitting any language specifically approving the Declaration. The second draft resolution, introduced by Burundi on November 21, and ultimately sponsored by 34 states, contained language specifically endorsing the Declaration and Program of Action adopted by the Conference. A group of African states proposed amendments to the Ghanaian draft resolution providing for express approval of the Declaration and Program of Action of the Conference. The amendments to the Ghanaian draft resolution were adopted, and both resolutions were thereupon adopted. The amended Ghanaian draft resolution was approved by a vote of 101 to 18, with 13 abstentions. The second draft resolution was approved by a recorded vote of 87 to 19, with 14 abstentions. While both resolutions as adopted contained similar language endorsing the documents produced by the World Conference, the Ghanaian resolution (resolution 33/99) set forth additional national, international and United Nations measures to be followed during the remainder of the Decade. The other, resolution 33/100, laid down a number of tasks upon the Secretary General, such as the preparation of further studies on



racial discrimination, the organization of regional seminars, and the study of a possible international fund to assist peoples and national liberation movements in their struggle against racism and apartheid.

Both resolutions were adopted in plenary on December 16 by rollcall votes; resolution 33/99 by a vote of 107 to 18, with 11 abstentions and resolution 33/100 by a vote of 101 to 19, with 15 abstentions.

#### REVIEW AND COORDINATION OF HUMAN RIGHTS PROGRAMS

In August, the United States, joined by Portugal, Ecuador, Spain, and Sweden, proposed that there be included in the agenda of the 33rd General Assembly a supplementary item entitled, "Review and Coordination of Human Rights Programs of Organizations in the United Nations System and Cooperation with Other International Programs in the Field of Human Rights." In the explanatory memorandum which was submitted in support of the inclusion of the supplementary item, the following was stated as the rationale for the new item:

"... there has been frequent discussion in various United Nations agencies of the growing need for greater consultation among the international institutions concerned with the protection and promotion of human rights. The enlarging vision of human rights contained in General Assembly resolution 32/130 placed upon the General Assembly an implicit task to insure that the efforts of the various agencies and institutions of the United Nations are coordinated. For this reason, a process is needed whereby the General Assembly can review annually the work of these various international institutions and agencies and compare and analyze their efforts in order to render more effective the promotion and protection of human rights as set forth in the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants of Human Rights."

Throughout the Assembly session the U.S. delegation actively consulted on the content of a draft resolution which would achieve the goals spelled out in the explanatory memorandum. A draft resolution was finally produced and cosponsored by the delegations of Ecuador, Portugal, Spain, Sweden, and the United States. The draft resolution was described by the U.S. Representative, Brady Tyson, in the Third Committee in the following terms:

"... We believe that the resolution as it now stands adequately reflects the overwhelming sentiment of this Committee--that there is a need to look more closely at the problems of review and coordination, that the Human Rights Commission, in its overall analysis, is the correct place to make this study and the correct group to conduct these consultations. Therefore, we



anticipate that this resolution will be adopted by consensus, since it should strengthen the report on the overall analysis by sharpening one of its practical points, so that the General Assembly may consider the next steps more adequately."

The draft resolution, with minor amendments, was then approved by consensus in the Third Committee on December 6, and adopted in plenary, also by consensus, on December 14, as resolution 33/54. As adopted, the resolution calls for the conduct of a study by the Commission on Human Rights of existing modes of coordination, co-operation and communication in the field of human rights within the United Nations system and the submission of suggestions and proposals from the Commission. The role of regional intergovernmental bodies is also explicitly covered in the mandate given to the Commission on Human Rights.

#### THE THIRTIETH ANNIVERSARY CELEBRATION

December 10, 1978, marked the 30th anniversary of the adoption by the United Nations General Assembly of the Universal Declaration of Human Rights. To mark this anniversary, the General Assembly scheduled a plenary debate which took place during the course of several days, beginning on December 11, 1978. During the debate, which featured statements by a large number of delegations representing individual states or groupings of states, a major address was delivered by Ambassador Young. Ambassador Young titled his statement, "The Struggle Against Poverty is the Struggle for Human Rights." In his statement, Ambassador Young said:

"... The Universal Declaration of Human Rights is a call for worldwide movements to promote human rights. This call is often heard with alarm by many who believe that there is far more to lose than to gain by encouraging political, economic and social change. Perhaps, in the short run, there is some cost for those who have special privilege, or for those who have an investment in thinking of themselves--as a nation, or class, or race--as superior or more advanced than others. But the plain lesson of history is that as the circle of participation in society widens, almost everyone profits. They profit not just in a better standard of living for everyone, but in the productivity of the economy, in better social services for everyone, in wider political participation, and in more protection for human rights."

Ambassador Young also drew attention to the importance of autonomous national institutions:

"... Perhaps some neglected methods can be of great help to us in the struggle to promote and protect human rights.

"First, an emphasis on autonomous, national institutions. We have not given due credit, nor due attention, to the creative role of independent, private institutions, dedicated to the protection and promotion of human rights. My own

experience was with the civil rights movement and the churches of this country, and I know what they were able to do in a few short years. Also, the role of a free and responsible press needs to be recognized. The press can be a guardian of the public interest, and a critic of the abuses--where they exist--of public power, and of private power, for that matter."

The debate concluded with the adoption on December 14 by consensus of resolution 33/46 which welcomed and strongly endorsed the progress made in the Commission on Human Rights in promoting the establishment by individual governments of national and local institutions for the promotion and protection of human rights.

### DISAPPEARED PERSONS

One of the most distressing human rights abuses widespread in the world today is that of the unexplained disappearance of individual persons. To draw attention to the problem and to initiate action to deal with it the delegations of Canada and the United Kingdom conducted extensive corridor negotiations with a view to the presentation of an appropriate draft resolution. A draft resolution cosponsored by Canada, the United Kingdom and 23 other delegations was introduced in the Third Committee on December 8. The draft contained a call upon governments to take a number of specific measures to deal with the disappeared persons problem; requested the Commission on Human Rights to consider the question with a view to making appropriate recommendations; and urged the Secretary General to continue to use his good offices in cases of enforced or involuntary disappearances of persons, drawing, as appropriate, upon the relevant experience of the International Committee of the Red Cross and other humanitarian organizations. Resolution 33/173 was adopted without a vote in plenary on December 20.

### THE SUBCOMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

The 31st session of the Subcommission met in Geneva August 28-September 15, 1978. The 26-member Subcommission, composed of experts who serve in their individual capacities, numbered among its members the United States expert, W. Beverly Carter, Jr.

The Subcommission received and forwarded to its parent body, the Commission on Human Rights, four studies which had been in preparation for a number of years by individual members of the Subcommission: two studies on self-determination, one dealing with the historical and current development of the right to self-determination and the other covering the implementation of United Nations resolutions relating to the right to self-determination; a study concerning the protection of human rights of individuals who are not citizens of the country in which they live; and a study on the question of the prevention and punishment of the crime of genocide. This latter study gave rise to some controversy over the adequacy of a section in the study which discussed historic instances of genocide. The Subcommission finally decided to forward the study to the Commission without change.

For a number of years the Subcommittee has been particularly concerned about the human rights of persons subjected to any form of detention or imprisonment. At its 31st session, it considered and approved for submission to the Commission on Human Rights a draft body of principles for the protection of all persons under any form of detention or imprisonment. The draft body of principles had been prepared by the Subcommittee in response to a request made to it by the Commission on Human Rights at its 32nd (1976) session.

The Subcommittee took decisions calling for preliminary work on studies of human rights under situations of siege or emergency, the independence and impartiality of the judiciary and independence of lawyers, and an up-date of an earlier study on slavery.

In addition to its expert labors in the preparation of studies and reports which serve as the basis for follow-up action by the Commission on Human Rights, the Subcommittee also dealt with specific situations of human rights violations. It expressed its grave concern over the human rights of the peoples of Cyprus and, responding to the request made by the Commission on Human Rights earlier in the year, considered materials and information which had been placed before it relating to allegations of violations of human rights in Democratic Kampuchea. In the latter case, the Subcommittee decided to request its Chairman to analyze the materials and to present this analysis to the 1979 session of the Subcommittee, with the recommendation that it might receive the highest priority.

Finally, in private sessions, the Subcommittee performed the functions assigned to it under E/RES/1503 (XLVIII). It examined the thousands of private communications alleging human rights violations received each year by the United Nations, together with replies made by governments, in order to determine the existence of situations which appear to reveal a consistent pattern of gross and reliably attested violations of human rights requiring consideration by the Commission. Related to its work responsibilities under E/RES/1503, the Subcommittee decided to request authority to amend its Rules of Procedure so that in the future the Subcommittee and its working group, which screens the petitions prior to the opening of each annual Subcommittee session, might, in taking decisions arising in the implementation of resolution 1503, adopt a method of voting by secret ballot. The Subcommittee also called for a thorough investigation of violations of the rule of confidentiality which applies under the resolution, and requested the Secretary General to devise and bring into effect appropriate measures to prevent violations of the confidentiality rule.

## STATUS OF WOMEN

### Commission on the Status of Women

ECOSOC's 32-member Commission on the Status of Women 21 /held

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21/ Belgium, Bulgaria, Byelorussian S.S.R., Cuba, Denmark, Dominican Republic, Ethiopia, France, Gabon, German Democratic Republic, Federal Republic of Germany, India, Indonesia, Iran, Japan,

(Continued)



its 27th session from March 20 to April 5, 1978. The Commission dealt mainly with preparations for the 1980 World Conference of the UN Decade for Women and the related regional conferences to be held in 1979. Also discussed were the future of the Commission on the Status of Women, the importance of emphasizing development issues regarding women, the need to simplify the reporting system, the need for greater cooperation with intergovernmental bodies outside the United Nations system, and the handling of communications on violations of women's rights.

The Commission also took action regarding legal and humanitarian aid for victims of apartheid, guidelines for consumer protection, measures to combat the growing problem of prostitution, and guidelines to protect women and children in armed conflict. The Commission further approved resolutions on women's participation in international conferences; on national machinery guidelines for monitoring the implementation of the program for the Decade for Women, 1976-1985; and on guidelines for reporting procedures on the status of women. In all, 15 resolutions were adopted, 13 by consensus. Eight of the resolutions required action by ECOSOC. The United States participated actively in the drafting and negotiating of resolutions on the majority of the agenda items and supported all but one of those adopted.

For example, although the United Nations has been considering restructuring ECOSOC and eliminating many of its subsidiary bodies, the United States strongly endorsed the continuation of the Commission on the Status of Women as the only UN organ which promotes civil, economic, political, and social responsibilities in response to the goals of the International Women's Year (1975) and the UN Decade for Women, 1976-1985.

The need to rationalize the reporting systems resulted from the fact that since 1972 the Council had required UN member states to report in a biennial cycle on measures taken to implement the provisions of the Declaration on the Elimination of Discrimination Against Women and the articles of the various conventions it has prepared. The General Assembly, in resolution 3490 (XXX), required members to report every 2 years on measures taken to implement the World Plan of Action. In discussing the two reports, it was clear they overlapped to a great extent. The Commission therefore adopted a resolution requesting, *inter alia*, that ECOSOC streamline and simplify the reporting systems. The United States not only made it clear that it supported and encouraged all member states to respond to the Secretary General's requests for relevant information on the political, civil, social, and economic rights of women in their respective countries, but also requested the Secretary General to provide an analytical report on the progress achieved in the improvement of the status of women; on obstacles encountered; and on policies for future action, including comparative studies on

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(Footnote continued from p. 147)

Libya, Madagascar, Mexico, New Zealand, Niger, Pakistan, Peru, Senegal, Sweden, Thailand, Togo, Trinidad and Tobago, U.S.S.R., United Kingdom, United States, Venezuela, Zaire.



developments within each region.

In accordance with General Assembly resolution 32/140, a mid-decade world conference on women will be held July 14-30, 1980, at Copenhagen, Denmark. Discussion regarding the conference included adoption by consensus of a resolution calling for the establishment of a Preparatory Committee for the Conference. The United States favored a practical development-oriented agenda, in the belief that the conference could only adequately handle a limited number of topics. The United States was pleased that the key themes of education, employment, and health were approved because they figured largely in the World Plan of Action's minimum goals for the first half of the Decade for Women.

Discussion became divisive when the Eastern European group expressed its view that the Commission should carry out its responsibilities regarding operative paragraph 5 of General Assembly resolution 32/142, which asked the Commission to consider drafting a declaration on the participation of women in the struggle for strengthening international peace and security, and against colonialism, racism, aggression, and all forms of foreign domination. The United States felt it inappropriate to draft such a document. The United Kingdom, Thailand, France, Sweden, Denmark, New Zealand, and Belgium also expressed the same reservations.

Nevertheless, Bulgaria and the Byelorussian S.S.R. introduced a draft resolution recommending that the conference prepare a draft declaration on peace. The United States successfully deleted mention of the earlier General Assembly resolution, and the draft was adopted by the Commission without a vote.

In a resolution which was adopted by consensus, Iran, Mexico, and the Federal Republic of Germany introduced a resolution entitled "World Conference of the United Nations Decade for Women, 1980," which requested ECOSOC to nominate the members of the 23-member Preparatory Committee for the World Conference as well as ask the Secretary General to propose appropriate personnel and financial resources for the Conference.

The United States helped draft a resolution which was adopted by consensus, calling on the Secretary General to propose that the topic of "Women in Development," be placed on the agendas of UN Conferences on Primary Health (UNICEF and WHO), Technical Cooperation Among Developing Countries, and the Conference on Science and Technology for Development.

On the topic of the "Impact of Apartheid on Women," the United States worked hard to be responsive to the African delegations' concerns. The U.S. Representative reaffirmed that the United States "deplored the policies of apartheid and racism as well as any laws and practices that perpetuate sexual caste and the subjugation of women." The African delegations, however, subsequently proposed a resolution which was adopted by a vote of 19 to 1 (U.S.), with 8 abstentions (Belgium, Denmark, France, Federal Republic of Germany, Japan, New Zealand, Sweden, United Kingdom). The draft resolution was among those forwarded to ECOSOC for action. It was adopted by ECOSOC on May 5. (Resolution 1978/33.)

The United States could not endorse this resolution because of its fundamental position that transnational corporations in South Africa, through enlightened business and labor practices, are better able to improve the position of blacks and women there, than they would if they were to leave South Africa. It thus runs counter to U.S. policy to label all transnational corporations as "detrimental" and to say that all carry out "discriminating practices." Nor could the United States support a policy of complete isolation of South Africa, where the United States has consistently exerted its influence to help ameliorate the situation.

Another resolution asked all governments and nongovernmental organizations to furnish humanitarian aid to women victimized by apartheid. In this resolution, the Commission also condemned the "inhumane" practices which exist under the apartheid system. This was adopted by consensus.

Since 1947, the Commission has considered the subject of communications on violations of women's rights. At its 1974 session the Commission had adopted a Soviet-sponsored resolution to discontinue receiving such communications. This year in a reversal of its policy, the Commission voted 12 (U.S.) to 9, with 7 abstentions to place the issue on the agenda of the next session. The U.S.S.R. and other Eastern European delegations strongly opposed this action.

The Commission requested ECOSOC to recommend to the General Assembly that it provide from the regular program budget necessary personnel and financial resources to enable the regional commissions and women's centers to implement the World Plan of Action of the UN Decade for Women. The U.S.S.R. and the Eastern European group opposed the use of regular UN budget funds for this purpose, but they were defeated by a rollcall vote of 21 (U.S.) to 0, with 7 abstentions. The United States supported this resolution because of its firm support for strengthening the UN program on women.

For over a decade, the Commission has emphasized the importance of member governments establishing national machinery to improve the status of women. The United States delegation helped draft a resolution on this subject, which was adopted by consensus. It called for national machinery to monitor the implementation of the program for the UN Decade for Women, the preparations for the 1980 Conference, and the program of action for the second half of the Decade.

A resolution on cooperation with intergovernmental bodies reflected a strong attempt to improve the coordination of UN and non-UN bodies. The Inter-American Commission on Women, which celebrated its 50th anniversary in 1978, felt strongly that it needed to work more closely with UN regional bodies. The United States collaborated with several other countries and the Inter-American Commission in drafting this resolution, which was adopted by the Commission without a vote.

Mexico introduced a resolution dealing with consumer protection, a subject raised in the Commission for the first time. It recommended specific objectives for action on the national regional and international levels which would be incorporated into the revised Plan of Action. The United States helped negotiate the amendments and

the final draft was adopted by consensus.

The Federal Republic of Germany proposed a draft resolution on the "Protection of Women and Children in Emergency and Armed Conflict in the Struggle for Peace, Self-Determination and National Liberation and Independence." Focusing on international conventions and humanitarian relief efforts, this uncontroversial resolution was easily adopted by consensus.

In a resolution on prostitution, the Commission not only condemned prostitution as a "shameful exploitation" which "continues to detract from the dignity of women," but further asked the Secretary General to prepare two reports, one on the "causes and consequences" of prostitution, and the other on the implementation of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, approved by the General Assembly in 1949.

### Economic and Social Council

At its first regular session in 1978, ECOSOC considered items on the UN Decade for Women, the report of the Commission on the Status of Women covering its 27th session, and several related reports and notes from the Secretary General. ECOSOC adopted 10 resolutions and 5 decisions, including 8 resolutions forwarded by the Commission on the Status of Women. Action taken included a request to the Secretary General to report to the 33rd General Assembly on the status of the proposed "International Research and Training Institute for the Advancement of Women." (Resolution 1978/25.)

Additional resolutions included the integration and rationalization of the reporting systems into a single system and a request for appropriate personnel and financial resources for the 1980 Conference in light of the proposals of the Preparatory Committee for the World Conference. ECOSOC also recommended adoption of the sub-themes of "Employment, Health and Education" for the World Conference. This same resolution underlined the importance of the overall review and reevaluation of the progress made in the first half of the Decade, and formulation of recommendations necessary for changes and adjustments for the second half of the Decade. ECOSOC also recommended to the Preparatory Committee the inclusion of an agenda item on the effects of apartheid on women in southern Africa.

### Preparatory Committee for the 1980 World Conference on Women

The first session of the Preparatory Committee for the World Conference of the UN Decade for Women, 1980, met from June 19 to 30 in Vienna. Deliberations focused primarily on the goals and organization of the World Conference, but also included debate on the progress during the first half of the Decade for Women, 1975-1985; program development for achieving the practical goals during the latter half of the Decade; and consideration of the effects of apartheid on women in South Africa. It also asked the UN Secretary General to appoint a Conference Secretary General for the July 1980 Conference "from outside the United Nations system and from a developing country."



The final resolution adopted by consensus emphasized the sub-themes of employment, health, and education; recommended the establishment of a Conference Secretariat in New York; established provisions for nongovernmental organizations to participate in the conference; made recommendations on the number of committees and allocation of work; stressed the importance of regional and sectoral preparatory meetings to be held in 1979; and recommended that all member states, regional commissions, and national liberation movements be invited to participate in the Conference. The Committee also approved a provisional agenda for its second session scheduled for August 27-September 7, 1979, in New York.

### General Assembly

The 33rd session was described by the Assistant Secretary General for Social and Humanitarian Affairs, Helvi Sipilä, as "the most important General Assembly thus far, insofar as women's issues were concerned." All the resolutions relating to women, but one, were approved by consensus. The Third Committee of the General Assembly considered various aspects of the agenda item entitled "United Nations Decade for Women: Equality, Development and Peace" at its meetings from November 6 through December 8. A resumed session of the plenary was held between January 15 and 29, 1979, which adopted all eight resolutions recommended by the Committee without comment or debate.

Perhaps the most significant and substantial resolution was that concerning the 1980 World Conference as recommended by the June session of the Preparatory Committee and the resumed 2nd session of ECOSOC. The final resolution reflected U.S. hopes for a carefully focused, action-oriented conference. This resolution details many specific organizational tasks, such as the division of work, the creation of committees and the like. (Resolution 33/189.)

A resolution dealing with "Rationalization of the Reporting System on the Status of Women," recommended the integration of the present reporting systems into a single system, pending a review of the impact of this new system. It also asked the Secretary General to review, in order to simplify the contents of questionnaires forwarded to member states, UN agencies, and non-governmental organizations in consultative status with ECOSOC, in the context of the integrated reporting system. The Secretary General was asked to pay particular attention to the regional requirements by selecting evaluative criteria which take account of the various regional reporting disparities. (Resolution 33/186.)

A resolution on "International Research and Training Institute for the Advancement of Women," asked the Secretary General to continue actively the necessary consultations concerning agreement with the Dominican Republic, the host country. It also asked him to proceed with the appointment of the Director of the Institute and members of the Board of Trustees. It was decided that as soon as the Board members were appointed, the Institute should start functioning as a body of the United Nations, financed through voluntary contributions, with a degree of autonomy necessary to insure its efficient operation. The Secretary General was further asked to undertake all appropriate initiatives to encourage



voluntary contributions. (Resolution 33/187.)

Another resolution, dealing with the "Voluntary Fund for the United Nations Decade for Women," called upon member states to consider contributing to the Voluntary Fund in order to assure the availability of adequate resources for the long-term administration and planning of its activities. It also asked the Secretary General to continue to report annually on the management of the Fund, the progress in implementation of Fund activities, and--also on an annual basis--to include the Voluntary Fund as one of the programs of the United Nations Pledging Conference for Development Activities. (Resolution 33/183.)

An additional resolution on preparations for the World Conference asked the Secretary General to insure that the success of the Conference not be "adversely affected" by the proposed move of parts of the Center for Social Development and Humanitarian Affairs Secretariat from New York to Vienna. (Resolution 33/190.) Further, the General Assembly accepted the proposed change of venue of the World Conference from Tehran, Iran, to Copenhagen, Denmark. (Resolution 33/191.)

A final resolution asked the Secretary General to prepare an analytical report on the "Status/Role of Women in Education and in the Social and Economic Fields for the Achievement of the Equality of Men and Women." In the Third Committee the vote was 106 to 0, with 27 abstentions (U.S.) and in plenary the vote was 88 to 0, with 27 abstentions (U.S.). (Resolution 33/184.) The United States and many others abstained on this resolution because of the belief that the subject was too general to produce a useful report, and furthermore, the work required would place an undue burden on an already overtaxed Secretariat staff.

#### Draft Convention on the Elimination of Discrimination Against Women

The draft convention on the Elimination of Discrimination Against Women, adopted by the Commission on the Status of Women in December, 1976, defines discrimination against women as:

"... any distinction, exclusion or restriction made on the basis of sex, which has the effect of or the purpose of impairing or nullifying the recognition, enjoyment or exercise by women on a basis of equality with men, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life."

The Convention is intended to condemn discrimination against women and undertake to pursue a policy of elimination of such discrimination. It is designed to insure "the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of basic human rights and fundamental freedoms on a basis of equality with men."

The General Assembly in 1977 adopted resolution 32/136 which called for the establishment of another working group at the beginning of the 33rd General Assembly session because the 32nd

session draft convention working group was only able to consider the title, introductory paragraphs, and the first ten articles of the Draft Convention. During the 33rd General Assembly, great effort was made to insure that the language contained would enable all countries to be signatories. The remaining substantive articles were completed during the session leaving only the implementation articles for the 34th General Assembly.

A resolution adopted December 20 called for an early establishment of a similar working group at the outset of the 34th General Assembly to allow adequate time for the deliberation needed to complete the Draft Convention in 1979. (Resolution 33/177.)

In another matter, the United States pledged \$2 million for fiscal year 1979 to the UN Voluntary Fund for the Decade for Women, which, along with other contributions, brought the total contributions to \$2.9 million during the course of the 33rd session.

## SPECIALIZED AGENCIES AND THE IAEA

### WORLD BANK GROUP

#### International Bank for Reconstruction and Development and International Development Association

During 1978 IBRD (World Bank) membership increased to 134 countries with the addition of Maldives, Suriname, Solomon Islands, and Cape Verde. Maldives and Cape Verde also joined IDA, raising total IDA membership to 121 countries.

During its 1978 fiscal year (ending June 30, 1978) the IBRD approved 137 new loans to 46 countries in the amount of \$6.098 billion--a nominal increase of 5.9% over the previous year. IDA approved 99 new credits in 42 countries, in the amount of \$2.313 billion--a nominal increase of 76.8% over the previous year. Part of this large increase was due to the fact that the fiscal 1977 commitment level had been relatively low. Exchange rate fluctuations caused a decrease in the value of the fourth replenishment resources and forced a cutback in the commitments for 1977.

IBRD disbursements increased during fiscal 1978 by \$151 million (5.7% in nominal terms) to \$2.787 billion. On the other hand, IDA's disbursements decreased by \$236 million (18% in nominal terms) to \$1.062 billion. Both IBRD and IDA disbursements were below expectations for the year. A review by the Bank of the causes of the slow growth rate in disbursements indicated that many Bank-assisted projects had been adversely affected as borrowing governments tried to adjust to inflation, balance-of-payments difficulties, and rising budgetary deficits. A shortage of counterpart funds necessary to project implementation often resulted from governments adjustment measures. Slow disbursement rates also resulted from the complexity of the Bank's 'new-style' projects and the involvement in project implementation of new agencies and institutions carrying out new activities to benefit groups of people previously considered outside the reach of most government programs. The Bank expects delays in disbursements to fade as borrowers and the Bank gain experience in project execution.

The U.S. Administration continued to seek appropriations for U.S. subscriptions to the IBRD's \$8.4 billion selective capital increase, which took effect May 13, 1977. U.S. participation in this capital increase was authorized by Public Law 95-118, signed by the President on October 3, 1977. The U.S. share would be \$1.568 billion. In 1978 the Administration sought an appropriation of \$666 million for fiscal 1979--the second U.S. portion of \$523 million plus the unfunded prior request of \$143 million from the preceding year. Unfortunately, severe Congressional pressure to reduce appropriations for the multilateral development banks resulted in a reduction of \$503 million from the amount requested for the IBRD. Only \$163.1 million was appropriated. (The selective capital increase will go forward with reduced U.S. participation,

but the result will be to diminish our voting strength in the IBRD and to diminish the IBRD's total lending authority. The Administration planned to request an appropriation of \$1.026 billion for the IBRD in fiscal 1980 for the third U.S. portion and to make good the shortfalls from the preceding 2 years.

Discussion of the IBRD's proposed general capital increase (in addition to the selective capital increase described above) proceeded intermittently during 1978. The participants in the 1978 Bonn Summit meeting, including President Carter, indicated their support for replenishment of the multilateral development banks' resources on the scale needed to meet the growing needs of developing countries. Treasury officials explained the broad outlines of the proposed increase in testimony before Congress in December. Most discussion has centered on proposals in the \$30-40 billion range. The U.S. share would be no more than 24%, perhaps less. Hence, the amount of the U.S. subscription would range between \$7.2 and \$9.6 billion, to be made available over a 5 or 6-year period. The United States saw no need for any capital actually to be paid in; rather, it felt all capital could be "callable," i.e., serving to guarantee the Bank's own borrowings in bond markets. Other members, however, felt that as much as 10% of capital should be paid in.

An increase of this magnitude would allow the Bank's annual lending to increase in real terms through the mid-1980's. It was hoped that ad referendum agreement on details of the increase could be reached by the executive directors early in 1979. This would have to be followed by final agreement by the necessary number of governors representing member countries. Legislative action is required for U.S. approval of and participation in the increase. In the meantime, the IBRD projected new loan commitments of \$6.8 billion in fiscal 1979, compared to \$6.1 billion in fiscal 1978.

IDA is making commitments of resources pledged under its fifth replenishment (IDA V), which covers the period 1978-80. The agreed amount of IDA V contributions was \$7.6 billion, expressed as the dollar equivalent of national currency contributions as of the date of agreement to the replenishment (March 14, 1977). Exchange rate changes and additional contributions since that time had increased the dollar equivalent value of IDA V to some \$8.7 billion by October 1978. This would allow the nominal value of IDA commitments expressed in dollars to grow more quickly during the remainder of the replenishment period than had been anticipated. On the other hand, higher than expected inflation rates continued to erode the real value of IDA disbursements.

For fiscal year 1979 the U.S. Administration requested from Congress \$1.55 billion in appropriations for IDA: \$750 million for the final two U.S. portions of IDA IV and \$800 million for the second (of three) IDA V U.S. portions. The Congress appropriated \$1.258 billion: \$800 million for IDA V and \$458 million for IDA IV. Thus, the United States was current in obtaining appropriations for IDA V but remained \$292 million in arrears to IDA IV. The Administration planned to request \$1.092 billion for IDA in fiscal 1980: \$800 million to complete our IDA V payments and \$292 million to complete IDA IV.



A sixth replenishment of IDA (IDA VI) will be necessary for the period 1981-83. The seven heads of state participating in the 1978 Bonn Summit meeting pledged to support replenishment of IDA on a scale that would permit its lending to rise annually in real terms. An informal meeting of donors to discuss IDA VI was held in London in June. This was followed by the first formal meeting in Paris in December. At these meetings the United States stressed its strong support for IDA but also emphasized that the U.S. share of the replenishment would have to decline from the level of our share in IDA V, just over 31%, as far as possible toward the Congressional target of 25%. The United States urged other countries in a position to do so to increase their shares and encouraged the Bank's management to solicit significant contributions from advanced developing countries whose progress enables them now to become IDA donors. The United States stressed that it would be unable to take any position on the size of the replenishment or the U.S. share until full consultations with Congress had been undertaken. These consultations were expected to be undertaken in the spring of 1979. Finally, it noted that the U.S. Administration's efforts to deal with inflation would involve budgetary stringency from which foreign assistance could not be wholly insulated. It was hoped that agreement on the details of IDA VI could be reached during 1979.

Loans held by the IBRD on June 30, 1978, amounted to \$37.796 billion, including \$4.731 billion in loans not yet effective. The IBRD continued to borrow in the capital markets of many countries to finance the bulk of its lending operations. The borrowing program of the Bank was set at the equivalent of \$4.2 billion for fiscal 1978. Of this amount, \$600 million was borrowed in April 1977 as an advance in order to take advantage of favorable factors in the United States investment market. Actual borrowings in fiscal year 1978 amounted to the equivalent of \$3.636 billion, divided into 28 issues publicly offered or privately placed by the Bank. Germany was the largest source of funds, with the equivalent of \$1.119 billion raised in that market. Other major sources were the United States (\$750 million), Japan (\$570 million), and Switzerland (\$363 million). The Bank borrowed the equivalent of \$291 million in the petroleum exporting countries in the period, a decline of \$104 million from the level of such borrowings in fiscal 1977. The Central Bank of Libya purchased a bond issue from the Bank worth \$40.1 million. A further \$251 million of the Bank's 2-year U.S. dollar bonds were placed with governments and official agencies of 14 petroleum exporting countries, including Saudi Arabia, and with an OPEC fund.

The aggregate of gross borrowings in the five fiscal years, 1974-78, was \$17.531 billion, compared to \$6.794 billion in the preceding five years. This higher rate of borrowing supported the expansion of the Bank's lending during the period. As of June 30, 1978, some 26% of the Bank's obligations were held by investors in the United States, 24% in Germany, 13% in Japan, 11% in Switzerland, and 6% in Saudi Arabia. The remaining 20% was held by investors and official agencies in more than 80 countries.

Combined development lending by the IBRD and IDA in fiscal 1978 focused on the following principal areas:

<u>Sector</u>	<u>Amount (Millions)</u>	<u>Percent of Total</u>
Agriculture & Rural Development	\$3,269.7	38.9
Education	351.9	4.2
Industrial Development & Finance	909.9	10.8
Industry	391.8	4.7
Nonproject	155.0	1.8
Population & Nutrition	58.1	0.7
Power	1,146.2	13.6
Technical Assistance	20.3	0.2
Telecommunications	221.1	2.6
Tourism	50.0	0.6
Transportation	1,092.9	13.0
Urban Development	368.6	4.4
Water Supply and Sewerage	375.2	4.5
TOTAL	\$8,410.7	100.0

During the year a decision was taken to phase out essentially all direct lending to the tourism sector. On the other hand, in keeping with the Bank's increasing emphasis on reaching the poor directly, lending to the agriculture and rural development sector continued to increase during 1978, both in absolute and relative terms.

The Bank proceeded to implement its 1977 decision to expand its activities in the fuel and nonfuel minerals sector. The Bank felt that the presence of a multilateral development bank in a mining project could help overcome differences between producing countries and foreign mining concerns and help assure other involved parties of the fairness of agreements in which they might take part. For this reason the Bank expected its loans and credits to the mining sector to be associated with much larger volumes of investment, both foreign and domestic. The Bank planned in the near term to assist in the financing of two to three nonfuel mineral projects a year and to double this number as soon as the demand for minerals revived.

The Bank made its first loan for oil and gas exploitation in 1977. During 1978 missions were sent to more than a dozen developing countries to identify and prepare projects aimed at oil and gas production. The Bank expected that the scale of its energy lending program for primarily oil and gas production could reach as much as \$500 million for up to eight projects annually from 1978 onward. The Bank has also begun to reappraise traditional noncommercial energy sources that still supply about one-half of total energy in developing countries, such as firewood and agricultural and animal wastes. Rural development infrastructure projects being assisted by the Bank are giving special attention to such sources.

#### International Finance Corporation

Membership in the IFC rose to 108 countries during 1978 with the admission of Mali.

The third member of the World Bank Group, the IFC assists the

economic development of its less developed member countries by promoting the growth of their economies' private sectors. During 1978 the IFC significantly expanded both the volume and scope of its activities and, at the same time, reoriented its operations. During its 1978 fiscal year, the Corporation made new loan and equity commitments of \$338.4 million for 41 projects in 31 countries throughout the developing world. (The corresponding figures for 1977 were \$206.7 million to 35 enterprises in 20 countries.) The IFC financed 18% of the total cost of investments with which it was associated. Funds generated internally by enterprises or provided by other investors allowed the IFC's investments to support projects with a total value of \$1.872 billion.

For fiscal year 1979, the U.S. Administration sought an appropriation of \$40 million toward the U.S. subscription under the IFC's ongoing capital replenishment and obtained an appropriation for the full amount. The Administration planned to seek the remaining \$33 million of our subscription in the fiscal 1980 budget.

In 1978 the IFC undertook for the first time investments in Mali, Lesotho, Swaziland, Yemen (Sana), and Trinidad and Tobago. In light of the expanded resources available to it under the capital increase, the IFC in April, 1978, developed a 5-year program with the following major elements: (1) the Corporation will endeavor to more than double the current level of investments and to extend its operations to a much larger number of developing country members; (2) there will be a major shift in focus toward less developed regions, without reducing activities in more advanced developing countries; (3) the Corporation will endeavor to enhance its catalytic impact and attempt to maintain the historical one-to-four ratio between IFC funds and funds mobilized from other sources; (4) the IFC will aim at a major increase in the level of its equity financing (as opposed to loan financing); (5) the Corporation will aim for greater sectoral diversification, with much greater emphasis on development of natural resources; (6) the Corporation will expand its financial markets development program; and (7) the Corporation will strengthen its project-related technical assistance program.

#### U.S. Legislative Developments

The fiscal year 1979 Foreign Assistance Appropriations Act (Public Law 95-481, October 18, 1978) contains several provisions which will affect the future participation of the United States in the World Bank Group and the regional development banks.

The legislation (in Title III) expresses the sense of the Congress that the U.S. share of contributions to future replenishments of the international financial institutions should not exceed specified percentages, e.g., IBRD--24%, IDA--25%, and IFC--23%.

Section 609 directs the Secretary of the Treasury to instruct the U.S. executive directors in each of the multilateral development banks "to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act, for the production of any commodity for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity." The Administration



developed careful review procedures to determine whether a given project is "for export," whether the commodity is "in surplus on world markets," and whether it would result in "substantial injury" to U.S. producers. It is noteworthy that the development banks themselves have general policies against financing commodities in surplus, since such projects are unlikely to be economically viable. An exception to this general rule exists where the country has a clear comparative advantage in producing the given commodity and where it has no alternative avenues of development.

Section 610 directs the President to initiate "wide international consultations" beginning with OECD members, to develop "a viable standard governing the allocation of development assistance for the production and export of commodities" related to commodities which are in surplus and which if produced for export would cause substantial harm to producers of the same, similar, or competing commodities. The President is directed to report to the Congress within one year on progress made in carrying out this section. The Administration has raised the issue with OECD countries and planned to pursue the consultation process.

Section 611 directs the President to instruct the U.S. governor of the multilateral development banks (the Secretary of the Treasury) "to propose and seek adoption of an amendment to the Articles of Agreement for their respective institutions to establish human rights standards to be considered in connection with each application for assistance." The Administration undertook consultations with a number of other member countries on this question.

### INTERNATIONAL MONETARY FUND

In 1978 the membership of the IMF rose to 138 countries with the accession of Cape Verde, Djibouti, Dominica, Maldives, Solomon Islands, and Suriname.

#### New Articles of Agreement

On April 1, 1978, the second amendment to the IMF Articles of Agreement entered into force. This brought about important changes to the structure and function of the Fund. The new Articles included a sanction of floating exchange rates, a reduction in the role of gold, an enhanced status for the Special Drawing Right (SDR), as well as significant changes in the operations and transactions of the Fund. In addition, at the annual meeting in September 1978, the Board of Governors adopted two major resolutions, one of which enables members to raise their total quotas in the Fund from SDR 39 billion to SDR 58.6 billion. The other resolution provides for the allocation of 4 billion SDRs to IMF members in each of three years 1979-81.

#### Use of Fund Facilities

There was a net contraction of IMF credit in 1978. This contraction reflected an unprecedented volume of repurchases, which exceeded the slight rise in members' purchases from the Fund by the equivalent of SDR 1.1 billion. In 1977 and 1976, purchases had exceeded repurchases by SDR 488 million and SDR 5.7 billion, re-



spectively. The reduction in the net use of the Fund's resources can be partly explained by an improvement in the members' external financial positions, as well as the availability of credit from international money markets. In addition, the relatively smaller drawings under the compensatory financing facility in 1978, compared with the 1976 peak, reflected a recovery in some raw material prices as well as the fact that some members had temporarily exhausted their eligibility for further drawings under the facility.

### Gold Sales

In 1978, the Fund completed the second, and initiated the third, of four annual sales of gold to members at SDR 35 per fine ounce. The Fund also conducted 12 gold auctions in 1978, the profits from which are made available to developing countries through the Trust Fund, either directly as profit distributions or as loans for balance of payment assistance.

### Supplementary Financing Facility

The IMF decided in 1977 to establish a supplementary financing facility. The facility is designed to assist those members that may require balance of payments financing in larger amounts and for a longer period than is available under the regular credit portions. This new facility was expected to become operative in 1979 when the requisite amount of loans committed to the Fund is available.

### Article IV Surveillance

Article IV in the amended Articles of Agreement gives the IMF the responsibility of exercising "firm surveillance" over the exchange rate practices of member countries. Each IMF member is expected to follow policies that promote economic stability and avoid manipulation of exchange rates. Exchange rate policies should not prevent effective balance of payments adjustments nor give an unfair competitive advantage. The Executive Board has agreed that the Fund will adapt its consultation procedures and practices to take account of surveillance of exchange rate policies and to make specific principles for the guidance of all members with respect to these policies.

### Enhanced Role for SDR

Further consideration was given in 1978 to the role of the SDR in the international monetary system and the characteristics of the asset, including the question of additional allocations of SDRs, the method of valuing the asset, the interest rate on the SDR, and its wider use. The Executive Board decided to make changes in the basket of currencies that determine the value of the SDR and established a method for making adjustments to the currency basket every five years.

### The IMF and Developing Countries

Despite these positive steps, the developing countries, represented in the United Nations by the Group of 77, continued to express the view that the Fund was insufficiently responsive

to their problems, particularly as regards their longer-term structural adjustment difficulties and the stringency of IMF conditionality. These questions were raised in the May, 1978 meeting of the Committee of the Whole, which reached no agreement, and were evoked in a more general way in the negotiations of a resolution passed at the 33rd General Assembly which set the guidelines for negotiations of a New International Development Strategy for the 1980's. (See above, p. 72). In the latter, the United States alone maintained a position apart from the general consensus favoring further monetary reforms with particular relevance to the needs of developing countries.

#### INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

IFAD, which became the 15th UN specialized agency on December 15, 1977, devoted most of its work in 1978 to the identification and approval of projects in developing countries. Projects were selected in accordance with IFAD's lending criteria which targets agricultural development assistance to the rural poor in the poorest countries. The terms governing loans from the \$1 billion Fund over the period 1978-81 are as follows: (1) for countries with a per capita income of \$300 or less, special loans on highly concessional terms, carrying a service charge of 1% annually, and a maturity period of 50 years including a grace period of 10 years (up to two-thirds of IFAD's resources are to be devoted to this category of countries; (2) for developing countries with higher per capita incomes loans on intermediate terms, with an interest rate of 4% annually and a maturity period of 20 years including a grace period of 5 years; and (3) for the more affluent developing countries, loans with interest of 8% annually and a maturity period of 15 to 18 years, including a grace period of 3 years.

Apart from technical assistance, grants are to be used to finance projects only in the poorest of the food deficit countries with the most severe development problems. The provisional lending criteria were formally approved by consensus by IFAD's Governing Council on December 15.

The IFAD Executive Board approved a total of \$117 million in 1978 for agricultural development projects (e.g., small farm irrigation, cottage-industry fisheries) in Sri Lanka, Tanzania, Guyana, Ecuador, Haiti, Thailand, Philippines, Bangladesh, and Cape Verde. Each of these projects is being cofinanced with another international financial institution. Given its small staff, IFAD decided to begin its lending operations by cofinancing agricultural projects with other international financial institutions, such as the IBRD and the regional development banks--which have the broad range of staff and skills required for project design, appraisal, and implementation. As the Fund gains more experience, it is expected to identify projects for exclusive financing. In such cases, however, IFAD will continue to rely on collaborating institutions for project implementation.

In October the Executive Board recommended an administrative budget for 1979 of \$9.5 million plus a \$950,000 contingency fund which the Governing Council approved by consensus in December. The

decision to approve such a low administrative budget, as opposed to the \$14.9 million budget recommended by the IFAD Secretariat, provides for a staff ceiling of 136, of which half are professionals. All of the Fund's administrative expenses will be covered by interest earnings on the contributions provided in cash by IFAD members. The United States is providing its contribution of \$200 million in the form of non-interest bearing letters of credit, but agreed that 10% of this could be drawn down immediately.

The IFAD Executive Board met three times in 1978: April 10-13, October 16-19, and December 11-12. Its sessions were closed and confidential. The U.S. member at the April Board was Robert H. Nooter, Deputy Administrator of AID. David Bronheim, Assistant Administrator of AID for Intragovernmental and International Affairs succeeded Mr. Nooter as U.S. Executive Board Director at the October session. The 18-member Board, composed of 6 representatives from each of the three IFAD categories (OECD donors, OPEC donors, and recipient countries), included representatives from the United States, Japan, United Kingdom, Netherlands, Norway, Italy (Category I); Iran, Saudi Arabia, Kuwait, Venezuela, Nigeria, Libya (Category II); and Sudan, Sierra Leone, India, Pakistan, Cuba, and Mexico (Category III).

The second session of the IFAD Governing Council met December 13-15. The U.S. Governor was AID Administrator John J. Gilligan. The Council, composed of all IFAD members, admitted the following new members as Category III (recipient) countries bringing total membership to 96: Afghanistan, Barbados, Bhutan, Jordan, Laos, Mauritania, Mauritius, Paraguay, and the Seychelles.

A decision on the site of IFAD's permanent headquarters was postponed until a thorough study of alternative sites can be completed. Rome remains IFAD's provisional headquarters.

#### FOOD AND AGRICULTURE ORGANIZATION

In 1978 the FAO continued to work within the policy guidelines proposed by its Director General, Edouard Saouma (Lebanon), and endorsed by the FAO Council, including the United States. The guidelines, aimed at achieving the greatest relevance for and assistance to the developing countries would (1) give greater emphasis to assisting developing member nations in their efforts to obtain financial resources for investment in food and agricultural production; (2) establish a technical cooperation program to give FAO a new immediacy and flexibility in action in response to the urgent, short-term needs of member nations, particularly in maximizing their development efforts--filling gaps in resources, complementing other sources of external assistance, and catalyzing greater investment in agriculture and rural development; (3) emphasize decentralization to the country level, including the gradual appointment of FAO country representatives, in order to bring FAO closer to the field and more involved in concrete action at the country and rural level; (4) revise programs to shift away from theoretical, diffuse, and long-term studies toward more practical and concrete activities; and (5) reduce the number of meetings, publications and documents, and staff positions of FAO.



## U.S. Position

The United States generally supported these objectives in 1978, particularly with regard to investment; decentralization; emphasis on practical action at the country level; and reduction of meetings, publications, and documents. In addition, the FAO received U.S. extrabudgetary support for the prevention of post-harvest losses and for assistance in the drought stricken Sahel region in Africa (see below). Consistent with the basic human needs approach, the United States urged the FAO to give higher priority to nutrition improvement programs, which could affect the lives of the approximately 450 million malnourished people of the world.

Having abstained in late 1977 on the adoption of the FAO budget for 1978-79, the United States advocated fiscal restraint in future FAO budgets (as well as throughout the UN system), urging the FAO to reduce or eliminate programs of marginal value to enable more resources to be diverted to high priority work.

In September, the U.S. Congress approved the Helms amendment to the Department of State 1979 Appropriations Bill prohibiting the use of U.S. contributions to the assessed budgets of UN organizations for technical assistance. At the 74th session of the FAO Council which met in Rome November 27-December 7, the United States questioned the use of FAO assessed budget resources for technical assistance (except for short-term emergencies in the most needy countries); underscoring the availability of significant extrabudgetary resources for FAO technical assistance projects through voluntary programs such as UNDP. The United States pointed out that it believed, as a general rule, that technical assistance in the assessed budgets of international organizations should be limited to genuine emergencies and programs of benefit to more than one country. The United States argued that voluntary contributions are the proper route for most technical assistance of a developmental nature. Hence, the United States disassociated itself from the resolution adopted by consensus by the Council reaffirming and broadening the technical cooperation program as part of the regular FAO budget.

## World Food Situation

According to FAO estimates, global food production increased about 3% in 1978, with a smaller gain in most developing countries. Among the least developed countries, production barely kept pace with population. The 74th FAO Council expressed concern that, despite generally good harvests and high levels of food stocks, the incidence of hunger and malnutrition showed no signs of decreasing, with the number of malnourished at approximately 450 million people. The Council specifically noted the devastation caused by floods in several Asian countries, the severe drought in China, the desert locust plague in parts of Africa and Asia, and the outbreak of swine fever in certain countries of the Mediterranean and Latin America.

At the FAO Council, Director General Saouma stated that despite the need resulting from poor agricultural performance in many developing countries, resources being contributed to the food and agriculture sectors remained inadequate.



The Director General welcomed the establishment of the U.S. Presidential Commission on World Hunger and praised the U.S. Agency for International Development for channeling resources through FAO for the Sahel Program.

### Technical Cooperation Program

This 2 year old program funded from FAO's regular budget enables the Organization to respond quickly to certain types of member country requests, often of an emergency nature. The Director General has broad discretion in authorizing projects.

By the end of 1978 there had been 400 projects approved--32% of them in Africa, 28% in Asia and the Far East, 19% in Latin America, and 3% in Europe. These projects covered such areas as crop production, animal and plant health, training, expediting investment preparation, and other fields. Of these 400 projects, 190 were approved in 1978 totaling \$14.5 million. There has been a fairly even distribution of projects by subject areas with 26% for emergency projects, 39% for training, 14% for investment, and 21% for other projects.

There were two serious emergencies in 1978--outbreaks of desert locust and African Swine Fever. The U.S. Government in earlier years assisted countries to train their experts in containing outbreaks of the desert locust and did so again in 1978. This insect, if not controlled, can spread great distances rapidly leaving behind destruction of food and feed crops. Thus, there is great interest in closely following FAO's activities in this area. The program costs to FAO were \$1,350,000 for pesticides, vehicles, spraying equipment, and spare parts. FAO assistance along with that from other donors helped prevent the spread of this insect to other areas.

The African Swine Fever program had special significance for the United States as this serious disease could cause widespread loss in the swine population in this country. Its recent appearance in Malta, Sardinia (Italy), Dominican Republic, and Brazil was thus cause for concern. FAO provided a diagnostic laboratory with equipment in Brazil, and in the Dominican Republic laboratory supplies, services, and field control support.

### Nutrition

Several proposals to strengthen FAO's nutrition activities were made by the United States and adopted at the second session of the Ad Hoc Committee on Food and Nutrition Policies, held in March 1978. The Ad Hoc Committee, established as a result of a recommendation of the 1974 World Food Conference, concluded in its report that progress in implementing recommendations on nutrition improvement had been slow and that the scope and scale of action was not commensurate with world needs. It recommended (1) that FAO should assume a leading role in the UN system in assisting countries in various specific ways to design and implement food and nutrition policies and programs, (2) that nutritional objectives and impact assessments be a part of all appropriate FAO programs and projects, (3) that financial resources for nutrition activities in FAO be increased in accordance with need, and (4) that a standing committee on food and nutrition policies be created in FAO to regularly review progress

and recommend needed action. In addition, the Ad Hoc Committee recommended that the Subcommittee on Nutrition of the ACC survey existing and needed UN-assisted programs and resources in the area of nutrition.

At the 74th FAO Council, the United States offered to consider additional support through various U.S. Government agencies. This offer was welcomed by FAO's secretariat.

### Prevention of Food Losses

Because of significant food losses occurring after harvest in many parts of the world, the United States in 1974 and 1975 took the initiative in the United Nations General Assembly to set a target of reducing these losses by 50% by 1985. Largely in response to this initiative the FAO in 1978 set up a special account for voluntary contributions to finance programs to address this problem. The United States supported the program by providing \$3 million to FAO through UNDP in 1978, which represented about 20% of the total resources in FAO's Special Fund for Prevention of Food Losses.

FAO's prevention of food losses program is focused on the rural poor at the village level in the least developed, food priority countries. The program embraces only food grains and other staple crops at the present time but may later be expanded to include animal products and other perishable foods. The program is designed to induce governments of the food priority countries to formulate and implement food loss reduction programs on a national scale. The program is seen as directing international actions toward a recognition of the seriousness of the problem and applying practical and simple measures to reduce food losses--particularly at the village level through such measures as improved local harvesting, threshing, milling, and storage procedures.

### Investment in Agricultural Development

Increasing food production and improving the living standards of the rural poor require capital investment. The FAO's Investment Center assists countries seeking investment funds to prepare their proposals so that they meet the criteria of multilateral and other financing institutions responsible for channeling development funds to the developing countries.

The total funds obtained in 1978 with the Center's involvement are not yet known but in 1977 the loans approved by financial institutions working with FAO totaled approximately \$822 million. It is anticipated that the amount for 1978 substantially exceeds this sum.

The type of projects for which countries were successful in obtaining loans ranged from rural development to those promoting credit, agro-industries, livestock, fisheries, and forestry. Institutions and organizations which make these loans included the World Bank; IDA; IFAD; and the African, Latin American, and Asian Development Banks.

Another cooperative activity is the FAO/Bankers Program which assists national development banks prepare financial projects.

The number of such banks working with FAO rose to 56 in 1978.

### Fisheries

The most important new emphasis in FAO's fisheries activities during 1978 was the development of an assistance program to least developed countries that are involved in the implementation of newly established zones of extended fisheries jurisdiction. The United States, in earlier meetings of the FAO Committee on Fisheries, had stressed the importance of this issue and the appropriateness of FAO to respond to the needs of the least developed countries. In this connection, the appointment in late 1978 of a new Assistant Director General for Fisheries, Kenneth Lucas (Canada), is of considerable significance. Highest priority has been assigned and to this program of assistance additional funding for it has been sought from UNDP.

During 1978, a series of studies contracted by the FAO dealing with scientific and technical aspects in the exploitation of krill in the southern oceans was completed. This effort was of interest to the United States and other Antarctic treaty countries, as well as to the general membership of FAO. In the field of aquaculture, the activities have been considerably advanced, since the FAO International Conference on Aquaculture held in Kyoto, Japan in 1976. In 1978, an informal followup meeting was held in Spain with participants from both FAO donor and recipient countries. During this meeting, guidelines were developed for the further programs of FAO and those that might be followed in bilateral programs as well.

For a number of years during the sessions of the FAO's Committee on Fisheries, there have been recurring efforts to change the constitutional nature of the Committee and make it a somewhat more independent body. During the Committee's 1978 meeting, it was decided that the Committee was able to discharge its responsibilities as it is now constituted and that no changes were necessary. This decision conformed to the United States position.

### Forestry

FAO published the Yearbook of Forest Products 1965-1976 in 1978. This is a compendium of annual production and trade in forest products over a 10-year period. The last 2 years data gives an indication to governments of the direction of trade and production trends for use in their own harvesting and production plans.

Also during the year, FAO, in collaboration with the Government of Indonesia, planned and conducted the 8th World Forestry Congress, which was held in Jakarta.

During 1978, FAO's Committee on Forestry urged governments to make many investments in forest-growing and advocated radical changes in the policy approach to mixed tropical hardwood forests. Instead of stripping tropical forests of only the most valuable woods, FAO specialists stressed once again that currently unmarketable species be used as a source of fibers, wood products (such as pulp), and wood-based panels. This break with the past is technically possible, although the efficiency of such production will have to be improved.



The developing countries possess about 50% of the world's forest area but lack the industries which could turn this potential resource to social and economic account. FAO assistance in 1978 aimed at two major obstacles: (1) the heterogeneous nature of the tropical forest mixture, and (2) the inexpediency of resorting to capital-intensive, sophisticated, industrial technology.

### World Food Program

Since its beginning in 1963, the WFP, sponsored jointly by FAO and the United Nations, has specialized in the use of multi-lateral food aid for social and economic development and for emergency relief. As a result of recommendations made at the 1974 World Food Conference, the WFP's governing body--the Committee on Food Aid Policies and Programs (CFA)--has undertaken a series of reviews designed to develop an improved framework for international food aid.

The primary policy issue taken up at the 5th session of the CFA, in April 1978, was the drafting of guidelines and criteria for food aid. These were a list of principles to guide the provision of both multilateral and bilateral food aid. While agreement was reached on most of the text, a few issues could not be resolved at the 5th session. Therefore, text with some sections not yet in final form was sent to the World Food Council as an interim measure. The CFA is to return to the guidelines at its 7th session in May 1979.

The CFA also discussed a report on food aid requirements, including the question of food aid targets. The Committee had before it a document analyzing food aid requirements up to 1985, which set as a first estimate that requirements for 1985 might reach 15-16 million tons of cereals, 300,000 tons of vegetable oils, and 250,000 tons of dairy products. The committee agreed that these estimates provided useful indicators and agreed to keep them under review. It will review them again in October 1979.

At its 6th session in October 1978, the CFA considered food aid for emergency operations. The Committee agreed to maintain the WFP emergency allocation at the level of \$45 million per year, but also allocated an additional amount of \$10 million for the remainder of 1978 since nearly \$45 million had already been allocated in the first 10 months of 1978. The Committee also agreed on a set of modalities for the operation of the International Emergency Food Reserve (IEFR). These modalities, *inter alia*, stated that the IEFR of 500,000 tons should be a continuing reserve with yearly replenishments and placed at the disposal of the WFP. The United States had some reservations to specific wording within the modalities but agreed to them in principle.

At the two sessions, the CFA approved a total of 34 new projects with a value of \$301.5 million and amended existing projects to increase their value by \$200 million.

During 1978 the United States shipped 369,282 metric tons for the WFP. Total pledges for the 1977-78 biennium were \$722.3 million as against a target of \$750 million. Pledges to the IEFR from 1976 through 1978 amounted at 347,800 metric tons, including a U.S. pledge of 125,000 metric tons.



## UN EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

During 1978, the Council of Namibia, Cape Verde, and Swaziland joined UNESCO, bringing the membership to 146 full and one associate members.

### 20th General Conference

UNESCO's General Conference meets biennially. The 20th General Conference was held at the Organization's headquarters in Paris, October 24-November 28, 1978. First created during the 1976 General Conference, on the initiative of the Director General, Amadou M'Bow of Senegal, a 25-member "Drafting and Negotiating Group" was again established, met in closed session and achieved consensus in which the United States, for the first time, participated on two important and controversial issues: (1) a decision was reached not to limit UNESCO's contribution to the establishment of a "New International Economic Order" to the economic level but to widen and deepen it in its social and cultural dimensions, and (2) a resolution was adopted on UNESCO's role in furthering disarmament through the effective development of its program in the fields of education and information. By minimizing public debate on these potentially contentious items, the Group permitted the Conference to devote greater attention to substantive programs.

### Declaration on the Mass Media

No other issue received as much attention during the General Conference as the "Draft Declaration on Fundamental Principles Governing the Contribution of the Mass Media to Strengthening Peace and International Understanding, Promotion of Human Rights, and to Countering Racism, Apartheid, and Incitement to War." Much time and energy on the part of the United States was devoted to the long, difficult negotiations required to overcome the substantial risk of failure that existed at the beginning of the Conference and successfully resolve this issue of overriding importance to the United States and other democratic countries concerned with preserving and promoting the free flow of news and information. The adoption by consensus of the Declaration was a tribute to the desire for conciliation on the part of member states, especially those from the Third World; the negotiating skill of the U.S. delegation; and the determined and energetic personal efforts of Director General M'Bow to find an acceptable solution. In one form or another, the Declaration finally adopted in plenary session on November 22, 1978, had been before member states since 1970 and had raised serious questions in the United States about UNESCO's continued devotion to one of its principal goals of achieving a free flow of ideas.

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22 / Algeria, Argentina, Belgium, Brazil, Bulgaria, Cameroon, China, Ethiopia, Federal Republic of Germany, France, Ghana, Guinea, India, Japan, Jordan, Libya, Mauritania, Mexico, Norway, Sri Lanka, U.S.S.R., United States, Venezuela, Yugoslavia, Zambia.

As adopted, the Declaration not only was stripped of earlier language implying state control over the media but included positive language on freedom of information. Instead of imposing duties and responsibilities upon journalists, as previous drafts attempted, the final document proclaims that they must have freedom to report, have the fullest possible facilities of access to information, and be assured of protection in the gathering of news. It further recognizes that the exercise of freedom of opinion, expression, and information is an integral part of human rights and fundamental freedoms and asserts the public's right of access to information through a diversity of sources. States are charged with the responsibility of providing favorable conditions for the operation of the mass media. Finally, the Declaration affirms the need to help developing countries overcome their handicaps in communications development as a means of helping to correct the "information imbalance" world-wide.

### Israel

Of particular importance to the United States were fresh decisions of the Conference on actions directed against Israel by the 18th Conference in 1974: (1) the condemnation of Israel's policies regarding the educational and cultural rights of the Arab populations in the occupied territories, and (2) the decision to withhold assistance from Israel until it stopped archaeological excavations in Jerusalem and other measures alleged to be altering the character of the city.

These actions were reaffirmed by this General Conference in two separate resolutions. One concerning the occupied Arab territories was adopted by a vote of 55 to 6 (U.S.), with 27 abstentions; another, on Jerusalem, by a vote of 67 to 24 (U.S.), with 13 abstentions. The latter both reaffirmed the sanctions provision and condemned Israel for continuing "to change and Judaize the historic and cultural configuration of Jerusalem." It did not, however, repeat the serious charge contained in the previous General Conference resolution that Israel, by its actions, had assumed "responsibility for casting doubt on the sincerity of its desire to participate in the community of member states and, by so doing, for exposing itself to isolation."

The occupied territories resolution, sponsored exclusively by Arab states, concerned the implementation of the 1974 resolution and purported to be based on the Director General's report concerning the six-member fact-finding Mission he had appointed and which visited the occupied territories toward the end of 1977. However, the Director General's report contained the reports of only four members of the Mission, and did not include an overall report by the Mission's leader, Paul-Marc Henry, nor a report by its Swiss member. According to the Director General, the Henry report was omitted because it was generally unsatisfactory and three members of the Mission were unwilling to accept it as an accurate reflection of their opinions. The United States has requested release of the report several times without success.

### Communications

In conjunction with the General Conference's consensus adoption

of the Mass Media Declaration discussed above, the United States pledged to initiate, through its international exchange programs, a plan of cooperation and assistance which would help develop and improve regional training centers in mass communication, broadcasting, and journalism in the developing world. The U.S. Government also proposed to collaborate with INTELSAT or any other appropriate satellite entity in experiments designed to apply satellite communication systems to the need for information on health, education, and agriculture in rural areas which cannot now be reached through conventional methods. The project will help build permanent communication technology skills in the recipient countries, which will be responsible for managing programs based on their individual priority needs.

As an outgrowth of these U.S. initiatives the General Conference adopted unanimously a U.S. proposal that UNESCO convene an inter-governmental conference "to develop a proposal for institutional arrangements to systematize collaborative consultation on communication development activities, needs, and plans." The United States offered to host such a conference. If a consultative group were established it could fill the gap existing between the communication needs of developing nations and the means to respond to them.

Resolutions in UNESCO and in the United Nations, calling for a "New World Information Order" (NWIO), sponsored by developing countries, expressed concern over the domination by the advanced countries of communications technology and the effect that has on national development. Earnest efforts were made on both sides at the 20th General Conference to reach accommodating language; however, the United States and several other delegations abstained on the final vote 46 to 0, with 12 (U.S.) abstentions because the resolution as adopted did not affirm that the NWIO was based on the "free flow" of information, a basic tenet of UNESCO's charter.

During the General Conference a wide-ranging discussion was held on the philosophical and pragmatic issues raised in the interim report submitted by the International Commission for the Study of Communication Problems (MacBride Commission). The 16-member advisory commission, appointed by the Director General in 1978 to study "the totality of communication problems of the modern world," is expected to complete its 2-year project early in 1980 and submit its final report later that year to the next, 21st General Conference. The final report will propose policy guidelines for UNESCO in the communications field for the next decade as well as priority guidelines for the behavior of nations in the communications area. During debate at the 20th General Conference, the United States welcomed the report as a first step but noted that it had reservations about some of the many issues the report raised. The United States also welcomed the invitation to submit further detailed comments on the report and the work of the Commission directly to the Commission itself.

#### UN General Assembly

The 33rd General Assembly also adopted a resolution on this subject. On December 7, Tunisia, on behalf of the Group of 77,



introduced in the Special Political Committee a draft resolution which, *inter alia*, (1) affirmed the need to establish a new, more just and more effective world information and communication order, intended to strengthen the international peace and understanding and based on free circulation and wider and better-balanced dissemination of information; (2) approved the efforts being made to establish this new world order, which should reflect in particular the concerns and legitimate aspirations of the developing countries and the views expressed at the 20th session of the General Conference; (3) stressed the essential role of the UN system in the attainment of this objective; and (4) expressed its satisfaction to the UNESCO Director General for his efforts in the sphere of information and communication and requested he report to the 34th General Assembly on the subject. The draft was approved by consensus in the Committee on December 8 and adopted as resolution 33/115 B by the plenary Assembly on December 18.

The U.S. Representative, Ms. Angelique O. Stahl, explained her vote in the Special Political Committee on December 8 by saying that the United States had participated in the consensus because it represented an important step in defining the concept of a new information order. It established as its foundation stone and fundamental principle the free flow of information. On that basis alone had the United States accepted the resolution. The United States could accept no official definition of the new information order that did not have as its foundation stone the "free flow of information."

### Culture

The preservation and protection of their cultural and natural heritage continued to be a major concern of member states in 1978, and the General Conference, reflecting that concern, approved the launching under UNESCO's auspices of international campaigns to safeguard sites and monuments in Malta, Peru, and Haiti. It also adopted with U.S. support a recommendation for the protection of movable cultural property which sets international standards to protect art objects against theft, vandalism, and other hazards, and a proposal to convene in Switzerland during the 1979-80 biennium a special committee to draft an instrument for the protection and preservation of moving images.

After 2 years of study by UNESCO-sponsored experts groups, the General Conference adopted unanimously the recommendation that an intergovernmental advisory committee be established to facilitate the return of cultural property to countries of origin or restitution in cases of illicit appropriation. The 20-nation committee will study complaints to it by member states and suggest ways and means of facilitating bilateral negotiations between the states involved to resolve the problem.

The World Heritage Committee, established by the World Heritage Convention, held its second session in Washington, D.C., September 5-8, 1978, and approved the first nominations to the World Heritage List of cultural monuments and natural sites having universal significance. Two of the ten approved were nominated by the United States--Yellowstone National Park, in the natural-sites category, and Mesa Verde National Park (Pueblo Indian Cliff



Dwellings), in the cultural-monuments category. At the second general assembly of signatory states to the World Heritage Convention, held on November 24, 1978, 6 new states were elected to the World Heritage Committee, bringing the Committee to its maximum size of 21, with the adherence of 40 states to the Convention by that date.

### UN General Assembly

The Third Committee of the 33rd General Assembly in December, considered as agenda item "Preservation and Further Development of Cultural Values," that was directly related to UNESCO's work. The Committee had before it a report on the subject by the Director General of UNESCO prepared at the request of the 31st General Assembly.

On November 30 Poland introduced a draft resolution, subsequently sponsored by 20 states, which (1) welcomed with appreciation the work of UNESCO in this area and in assisting the cooperation of states in this endeavor; (2) called upon UNESCO to collect information relevant thereto and carry on interdisciplinary research on the role and place of cultural values in contemporary society; (3) encouraged international exchange of information on modern methods of preservation; and (4) requested UNESCO to include on a continuing basis the problem of preservation and further development of cultural values in its medium and long-term plans. The resolution was approved by consensus on December 8, and adopted as resolution 33/49, also by consensus in the plenary Assembly on December 14.

Egypt introduced a second draft resolution, ultimately sponsored by 28 states which, among other things, (1) welcomed the establishment of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation; (2) invited all governments to accede to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property which had been adopted by UNESCO in 1970; (3) requested UNESCO to continue its efforts to find suitable solutions for problems relating to the restitution and return of cultural and artistic property and urged member states to cooperate with the organization in this field; and (4) invited member states to take all possible steps for the restitution and return of cultural and artistic property, including manuscripts and documents through, *inter alia*, the establishment of bilateral arrangements. The resolution was approved in the Committee by a vote of 116 (U.S.) to 0, with 14 abstentions, and adopted on December 14 as resolution 33/50 by a vote of 127 (U.S.) to 0, with 13 abstentions.

The U.S. Representative, David Cardwell, explained the U.S. vote by saying that his country supported the principle of the return of cultural property, but was opposed to any governmental obligation for restitution beyond the terms of the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of ownership of Cultural Property. The Convention should be the main vehicle for protecting cultural property and for facilitating its return. The U.S. judicial system offered redress to individuals or nations alleging that their property had been stolen and was located within the United States.

## Education

A consistent theme in U.S. recommendations to UNESCO has been the need to strengthen regional cooperation. At the 20th General Conference, the United States encouraged accelerated action by UNESCO to decentralize the education program. Although the necessary infrastructure exists in UNESCO's four regional education centers in Africa, Latin America, Asia and the Middle East, greater autonomy from the Secretariat in Paris is needed to enable the centers to realize their full potential.

### Human Rights

U.S. interventions in education focused on human rights both as a *raison d'être* for the education program, and as a curriculum subject. Relating education to basic human needs, the United States reaffirmed its view that education is a basic human right. We particularly stressed the education needs of women and of minority groups in all societies, and we introduced a draft resolution calling for sharper UNESCO focus on the special education needs of the handicapped. Viewing literacy as a basic requirement for achieving the other rights of mankind, we urged UNESCO to intensify its literacy campaign. The U.S. delegation strongly endorsed the recommendations of the UNESCO Congress on the Teaching of Human Rights held in Vienna in September 1978, and urged that UNESCO give priority to implementation of the recommendations made in the in-depth study on this subject prepared by U.S. experts for the 105th Executive Board Special Session.

### Charter on Physical Education and Sport

At its final meeting, in May 1978, the Interim Intergovernmental Committee on Physical Education and Sport approved a draft Charter which satisfied a U.S. concern regarding the role of UNESCO in international sports competition. The draft Charter affirmed the autonomy of the international governing bodies of these competitions, and constrained UNESCO from attempting to direct, administer, or control international sports competitions. Despite this clarification, the United States abstained in the vote on the draft text because of our continued reservation over the provision (article 8) on the role of the media, which stated that "the mass media should . . .". At the 20th General Conference we renewed our efforts to change the wording of this article from "should" to "may", but without success. The draft Charter was adopted by consensus. The United States accepted the final form, and placed its concern regarding article 8 "on the record".

In another action by the General Conference, the United States was elected to the 30-member Permanent Committee on Physical Education and Sport which was established under the Charter.

### Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education

In the interest of promoting greater mobility of students and scholars, UNESCO has been working with member states to develop regional conventions establishing mutually agreed standards for the

comparability and recognition of studies, diplomas and degrees. The ultimate goal is to link the regional agreements into a universal convention. Conventions have already been adopted for the Latin America and Arab regions. The 1979-80 program contains provision for the preparation of Conventions in the European and African regions. The United States has participated in preparing the Convention on the European region.

The United States strongly supports the aims of this Convention, but anticipating some difficulty in adhering to a convention addressing an area which falls, under our federal system of government, within the jurisdiction of local and state governments, we sought the cooperation of other federal states in negotiating changes into the text to make it acceptable to countries with decentralized systems of government. The amendment, drafted and adopted by consensus at a meeting of governmental experts in December 1978, leaves to competent authorities in each state the question of whether to recognize degrees from other states, thus preserving the existing degree recognition procedure in any country. A conference for representatives of governments to sign the convention is scheduled for December 1979.

#### Natural Sciences

A continuing U.S. objective, pursued at successive General Conferences, including the twentieth, has been to concentrate science programs on selected major projects, in order to provide a focus for coordinating the resources of member states, UNESCO, and other UN agencies on projects which can both advance the state of scientific knowledge and serve major developmental needs of member states.

The General Conference adopted a draft resolution introduced by the United States and cosponsored by Australia, United Kingdom, Portugal, Federal Republic of Germany, Canada, and Brazil, which amends procedural aspects of the natural science program to (1) insure further concentration of UNESCO's resources on selected priority programs of worldwide importance with a concomitant elimination of projects of low priority and limited impact; (2) provide constructive criticism of UNESCO's ongoing programs through consultation with the intergovernmental councils (identified below) as well as with ad hoc committees of scientists from a wide range of countries; and (3) focus attention on the need to retain high scientific quality in UNESCO science programs in order to sustain the interest of participating scientists.

With its intergovernmental councils--Man and the Biosphere Program (MAB), International Hydrological Program (IHP), International Geological Correlations Program (IGCP), and Intergovernmental Oceanographic Commission (IOC)--the science program is structurally organized to provide the leverage for influencing the development of a major-projects approach. The United States is an elected member of all of these councils.

In its 6th year under the joint sponsorship of UNESCO and the International Union of Geological Sciences, the IGCP is devoted to a better knowledge of geological processes and correlation; improved measurements, standards, and techniques; environmental protection;



and resource identification and assessment. Nearly 70 countries participate formally in the Program, which now has 64 active projects. U.S. participation in IGCP is focused on 27 projects, of which 9 have U.S. leadership. Nearly 400 geologists are doing research related to these projects. The board which directs IGCP program activities has accepted an invitation to hold its 1979 annual meeting in Washington, D.C.

The UNESCO program in earth science data collection and exchange also involves substantial U.S. participation. One aspect of this program concerns the development of computer-based earth science information systems, with particular emphasis on mineral resource information and remote sensing data. U.S. scientists have a lead role in the design of these systems and in the transfer of this technology to developing countries.

There is a substantial U.S. contribution to the work of the Commission on the Geological Map of the World, which receives financial support from the UNESCO earth science program. The Commission compiles and publishes regional geologic, tectonic, and metallogenic maps, with the ultimate goal of complete world coverage. U.S. scientists are taking the lead in a current effort to prepare maps of the world ocean basins.

U.S. geophysicists also participate in UNESCO's program on the assessment and prediction of geologic hazards, with special emphasis on earthquake prediction or forecasting. A number of U.S. geophysicists will present papers at a UNESCO-sponsored international meeting on earthquake prediction, to be held in Paris in April 1979.

The increasing world interest in the ocean, particularly among developing countries becoming more and more aware of the resource potential of their coastal and offshore areas, resulted in an increase of the membership in the Intergovernmental Oceanographic Commission to 101 member states during 1978. The IOC's Executive Council in June approved the first projects submitted under the newly established Voluntary Assistance Program, which helps developing countries participate in IOC programs and develop their marine science infrastructure.

The United States is participating in an IOC working group on the future role and functions of the Commission, examining the changes taking place in ocean regimes and their effect on marine science and services. The first meeting, in June, coincided with a session of FAO's Committee on Fisheries, which was considering the future of the world's fisheries resources, and there was considerable interchange between the delegations to the two conferences. To cite one example of IOC's numerous programmatic activities, the Working Committee on the Integrated Global Ocean Station System met under the new joint sponsorship of IOC and the World Meteorological Organization (WMO). Such cooperation between international organizations underscores the growing appreciation of the major influence the ocean has on climate.

The 20th General Conference, following up on actions of the 19th General Conference and of the IOC Assembly, decided, by a vote of 78 to 19 (U.S.), with 5 abstentions, to suspend South Africa from the IOC because of its policy of apartheid. The United States,



which had vigorously opposed this issue in the previous discussions, once again voted against the action.

Water resources is a topic of high priority to many developing countries and to the United States as well, particularly because of the population boom in the arid southwestern states. After a lapse of one term, the United States was again elected to the Intergovernmental Council of the International Hydrological Program. Through its membership on the IHP Planning Group, the United States recommended that for the IHP's Second Phase the program emphasize education and training especially at the technician level, and that it work to strengthen regional training capabilities. Among the meetings of working groups held in 1978, one, on Methods of Computation of Hydrological Parameters for Water Projects, was hosted by the Hydrologic Engineering Center in Davis, California.

### Social Sciences

The increasing importance being given to human rights issues in UNESCO was reflected not only in the adoption by the spring session of the Executive Board of greatly strengthened procedures for handling complaints alleging human rights violations, but also in the drafting by an intergovernmental meeting of experts in Paris, March 13-20, 1978, and adoption by the General Conference, also by acclamation, of a declaration on race and racial prejudice.

In certain key respects UNESCO's new human rights procedures go beyond those in existence elsewhere in the UN system. A major feature of the UNESCO procedures is provision for the application of due process not only to individual cases but also to complaints by member states against other members.

The Declaration on Race and Racial Prejudice, the most comprehensive statement on this subject ever adopted by an international organization, represents the culmination of UNESCO's earlier efforts in this field and to its opposition to racial discrimination and racism, including apartheid, dating back to the early 1950's.

For the first time in the history of mankind's long effort to banish the spectre of racism, the international community has adopted a text which, without being legally binding, represents a moral engagement covering all aspects of the problem of racism. The United States was pleased to be able to participate both in the drafting of the Declaration and its adoption by the General Conference. An effort at the drafting meeting in March to inject an indirect reference to the General Assembly's resolution 3379, declaring Zionism to be a form of racism, was successfully opposed by the United States and other like-minded member states.

An accompanying implementing resolution, also adopted by consensus, urged member states to consider ratifying international agreements relating to racial discrimination and to take appropriate measures for preventing and punishing such discrimination and compensating its victims.

The social science program, like the natural science program, suffers from a lack of concentration and central focus and from a dispersion of limited resources among too many minor projects.

The United States has often called attention to this major problem and in an effort to remedy it, submitted a resolution to the General Conference cosponsored by 13 other member states, representing all geographic regions, which called on the Director General to (1) develop a limited number of major projects, with the assistance of ad hoc advisory groups of social scientists to provide maximum participation of the relevant professional communities; and (2) develop specific proposals for providing international coordination among national commissions and research institutes in the member states and the regional social science research centers. The resolution was approved in Commission by a vote of 44 (U.S.) to 2, with 4 abstentions.

Taking the lead in building upon the U.S.-sponsored resolution on women adopted by the 19th General Conference, Norway introduced into the 20th General Conference a resolution of major importance, calling for implementation of the World Plan of Action adopted at the World Conference on the International Women's Year held in Mexico in 1975. This resolution was reinforced by the efforts of the United States to emphasize the need for (1) impact statements reviewing the effect on women of each UNESCO program; (2) appointment of UNESCO advisory groups of experts from around the world; (3) greater intersectoral coordination of women's programs through UNESCO's recently established intersectoral committee; and (4) greater attention to practical projects based on the numerous studies already completed.

### Budgetary and Administrative Questions

For the 1979-80 biennium the 20th General Conference adopted the largest budget in the Organization's 32-year history, \$303 million. The U.S. share of the budget, less \$12.6 million for miscellaneous income, amounts to \$36.3 million for each year of the biennium, or 25% of the assessed budget.

Earlier, at the spring session of the Executive Board, the United States had expressed concern over the accelerating growth of UNESCO's budgets and the fragmentation of its programs. It called for budgetary restraint in a time of worldwide inflation and urged the Director General to eliminate marginal and obsolete programs that have little impact and improve the Secretariat's efficiency and productivity in carrying out programs.

At the fall Executive Board session, the United States was the only member state to vote against the Board's recommendation to the General Conference that the 1979-80 budget level be set at \$303 million and was the only government voting against the budget at the General Conference. However, the General Conference gave its support to the views stated by the United States on the questionable usefulness of some of UNESCO's programs when it adopted two resolutions calling on the Director General to concentrate resources allocated for the natural and social sciences on major projects that would have meaningful impact rather than dissipating funds on small programs of little lasting value.

Concerned for the need of external evaluation of UNESCO's activities, the United States argued vigorously in the Executive Board and at the General Conference for UNESCO's adherence to the

new statutes of the Joint Inspection Unit, which set up the JIU as a permanent subsidiary organ of the UN General Assembly effective January 1, 1978, with responsibility for evaluating program and management efficiency of the United Nations and of adhering specialized agencies. The General Conference accepted the statute, with the qualification that the JIU would not be considered for constitutional reasons a subsidiary organ of the General Conference. The United States also made a major effort to focus the attention of member states on many critical managerial matters not found on the agenda of the General Conference, such as decentralization, economy, and efficiency. These matters were mentioned frequently by the Director General as leading elements in UNESCO's new managerial posture but which have yet to be implemented.

#### U.S. National Commission for UNESCO

The U.S. National Commission for UNESCO, created by a joint resolution of Congress of 1946 in accordance with article VII of the UNESCO Constitution recommending establishment of such commissions in UNESCO member states, is comprised of 100 individuals appointed by the Secretary of State, and representing education, science, culture, and communications interests. The Commission advises the U.S. Government on UNESCO matters, publicizes UNESCO matters, publicizes UNESCO activities in the United States, and facilitates the participation by U.S. organizations in UNESCO programs.

As is usual in a General Conference year, much of the Commission's activity was aimed at preparations for the 20th General Conference session which took place at UNESCO Headquarters in Paris, October 24 to November 28. In an effort to enlarge the role of the private sector in the formulation of government policies in UNESCO, the Commission prepared a scope paper of U.S. objectives for UNESCO program activities. The paper became the policy of the U.S. Government, forming the basis for the preparation of the U.S. speech for the general policy debate and for specific position papers.

In line with U.S. positions in UNESCO and building on previous Commission initiatives, the Commission continued to give high priority to four principal areas: mass communications, human rights, the environment, and culture.

As part of an overall strategy and to promote a full exchange of views between private media interests and the U.S. Government, the Commission on three occasions brought together U.S. leaders of media to provide input for the 2-year study of world communications issues being conducted by the UNESCO International Commission for the Study of Communications Problems (ICSCP). It also held consultations on this subject with the U.S. and Canadian National Commissions and helped plan with the Edward R. Murrow Center of Tufts University two international meetings of media practitioners in New York and in Cairo to address salient media issues. The Commission also worked with private media in setting up a Development Committee for soliciting contributions (almost \$1 million in 1978) and offers of technical assistance to third world countries in developing the communications capabilities in partial fulfillment of offers of U.S. aid made at the UNESCO 19th General Conference session.



In the field of human rights, the Commission concentrated on four areas of activity. It organized, in cooperation with the Center for Minority Group Mental Health Programs of the National Institute of Mental Health, an ad hoc panel of 20 distinguished experts to advise the Department of State on a draft UNESCO declaration on Race and Racial Prejudice held in March at UNESCO headquarters. It assisted the Department of State in revising and strengthening UNESCO's procedures for handling human rights complaints by undertaking a detailed analysis of the proposed procedures, and by assigning a Commissioner to participate in the negotiations of a UNESCO working committee. In cooperation with the Johnson Foundation and the National Commissions of Canada, Finland, and the Federal Republic of Germany, the U.S. National Commission held an International Human Rights Education Symposium at the Wingspread Conference Center in Racine, Wisconsin, in July to evaluate existing curriculum materials and consider the development of new materials for international human rights education in implementation of the 1974 UNESCO Recommendation on Education for International Understanding, Cooperation and Peace and Education Relating to Human Rights and Fundamental Freedoms. The report of the symposium served as one of the principal background papers for a major UNESCO Congress on the Teaching of Human Rights held in Vienna in September. The Commission, thanks in large part to a generous grant from the Bruner Foundation, played a key role in the proceedings of this international Congress. Finally, the Commission undertook a major analysis of the UNESCO education program, and presented an in-depth study on "Education to Encourage Respect for Human Rights and the Ideals of Peace" before the Special Committee of the 105th session of the UNESCO Executive Board. The recommendations of this study were reflected in UNESCO's draft Program and Budget for 1979-80 approved by the General Conference.

In the field of culture, the Commission succeeded, following a 5-year effort, in establishing at the University of Southern California a Center for Technology, the Arts and Cultural Transformation (TACT). A consortium of institutions, organizations, programs, and individuals in the fields of culture and the arts, TACT presently embraces some 25 participants including a support consortium consisting of the University of Southern California, the National Commission, Texas Southern University, Smithsonian Institution, the Native American Council of Regents, and the University of Denver. During the year TACT obtained federal funding for three research projects in the fields of computergraphics, movement analysis and cultural identity, and storytelling in American culture. As part of its international activities, TACT specialists participated in conferences and seminars, presented lecture demonstrations, conducted workshops, and engaged in research programs in Australia, Indonesia, Hong Kong, Spain, Germany, Austria, Italy, and Hungary. It also published with the support of Texas Southern University School of Communications four issues of Intact, a periodic informational bulletin.

The Commission cosponsored with UNESCO and the American Film Institute an International Symposium on Cinema and Society, in mid-August in Beverly Hills, California. The purpose of the symposium was to make the role of cinema in culture better known to professional societies. Attended by leading film directors from 14 countries, discussions centered on such topics as the influence of film on



societal attitudes, values and behavior; the relationship of cinema to the environment, energy, peace, and politics.

In the field of environment, the Commission continued to expand the activities of the U.S. Man and the Biosphere Program (MAB), a major program of UNESCO designed to develop within the natural and social sciences a basis for the rational use and conservation of the resources of the biosphere and for the improvement of the relationship between man and the environment. The U.S. National MAB Committee, established in 1972, is one of over 90 national MAB Committees working in 14 research project areas dealing with rational use of the forests, rangeland, water resources, and other related environmental issues. It has the cooperation, participation and partial funding of the National Park Service of the Department of the Interior and the Forest Service of the Department of Agriculture. The Committee has focused particularly on the establishment of a global network of biosphere reserves, protected areas for conservation and ecological research. Thus far, 144 reserves in 35 countries have been officially designated, including 29 in the United States. Other significant activities during 1978 included sponsorship of an International Workshop on Monitoring Biosphere Reserves in the Great Smokey Mountains, organization of a U.S. Strategy Conference on Tropical Deforestation in Washington, D.C., and a bilateral research project with Mexico on optimum use of dry forest areas and rangelands.

An improved image of UNESCO in the United States has resulted from an increased involvement by the informed public in Commission projects. As part of its domestic activity the Commission now regularly publishes two newsletters, Update, covering general UNESCO and Commission news, and a MAB Newsletter; and sponsors a third, Intact, which reports exclusively on TACT events and issues. The three publications reach an audience of over 6,500 interested individuals and organizations.

#### WORLD INTELLECTUAL PROPERTY ORGANIZATION

WIPO was established by a convention signed at Stockholm in 1967 which entered into force on April 26, 1970; the United States is a party to the convention. WIPO is the principal worldwide organization responsible for promoting the protection of intellectual property which comprises two elements: copyrights (mainly literary and artistic works) and industrial property (mainly patents on inventions, trademarks, and industrial designs). WIPO is also responsible for the administration of 10 intergovernmental "unions," each founded on a multilateral treaty. The two principal treaties are the 1883 Paris Convention for the Protection of Industrial Property, which has 88 parties, and the 1886 Berne Convention for the Protection of Literary and Artistic Works, which has 70 parties. The United States is a party to the former Convention, but not the latter. Other WIPO-administered intellectual property treaties to which the United States is a party are the Patent Cooperation Treaty, the 1957 Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, the 1968 Locarno Agreement Establishing an International Classification for Industrial

Designs, the 1971 Strasbourg Agreement Concerning the International Patent Classification, and the 1971 Geneva Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms.

Membership in WIPO is open to any state that is a member of any of the Unions, or of the United Nations or its specialized agencies, or which is invited to become a member by the WIPO General Assembly. Six countries--Central African Empire, Jamaica, Mongolia, Republic of Korea, Sri Lanka, and Yemen (Aden)--joined WIPO in 1978, raising total membership at the end of the year to 84.

### Administrative Organization

The International Bureau, or Secretariat, operates under the direction of the WIPO member states through a General Assembly and a Conference which meet triennially. The principal administrative organ of the Paris and Berne Unions is the Assembly of each union, consisting of all the member states. The Paris and Berne Unions elect Executive Committees from among their member states and the joint membership of these two Committees constitutes WIPO's Co-ordination Committee which meets annually and is entrusted with the normal tasks of such a governing body, especially the implementation of the triennial program and budgeting of WIPO. As a member of the Paris Union Executive Committee, the United States will continue as a member of the WIPO Coordination Committee for the period 1978-79.

### Objectives

One of the two basic objectives of WIPO is to promote the protection of intellectual property on a worldwide basis. In support of this objective, WIPO encourages the conclusion of new international treaties and the harmonization of national laws; it gives legal-technical assistance to developing countries; it assembles and disseminates information on intellectual property; and it maintains international registration services in the fields of trademarks, industrial designs, and appellations of origin.

The second basic objective of WIPO is to insure administrative cooperation among the unions. Centralizing the administration of the various unions in the International Bureau helps insure economy both for the member states and for the private sector concerned with intellectual property.

### Technical Activities

Because of concern for the proliferation of WIPO's technical activities and to attempt to avoid redundant or unproductive projects, the United States suggested in 1975 that some method be found to monitor these efforts effectively. This suggestion led to the establishment of an Ad Hoc Committee for Coordination of the Technical Activities of WIPO. Following a 2-year effort by the Ad Hoc Committee, recommendations were developed for coordinating the various technical activities of WIPO related to patents and patent information.

In 1977 the WIPO administrative bodies established a Permanent Committee for Patent Information. This Committee, which held its first meeting in January 1978, coordinates all technical activities which previously were being undertaken by separate bodies in regard to the revision of the International Patent Classification under the Strasbourg Agreement and the Paris Union Committee for International Cooperation in Information Retrieval Among Patent Offices (ICIREPAT), as well as certain technical activities under the Patent Cooperation Treaty and various other existing or planned technical activities related to patent information. The United States participated in all these separate activities. As a result of better coordination, it is expected there will be fewer meetings and the meetings being held should be more responsive to real needs in the patent information area.

During 1978 the United States participated in specific technical activities directed toward improvement of the International Patent Classification, further development of cooperative patent search systems and standards under ICIREPAT, and improvement of the International Classification of Goods and Services for the Purposes of the Registration of Marks.

#### Assistance to Developing Countries

Activities of WIPO in the field of development cooperation with respect to developing countries were further expanded during 1978 under the direction of the Permanent Committee for Development Cooperation Related to Industrial Property and the Permanent Committee for Development Cooperation Related to Copyrights and Neighboring Rights. The United States participated in both of these Committees and supported most of their activities.

In connection with the interest of developing countries in technology from all sources, the Expert Group on Information from Patent Documents continued with work stemming from its 1977 meeting, including ways and means of securing technological information from patent documentation relevant to the needs of developing countries. Work has been completed on a revised draft of the Model Law on Inventions and Know-How. The draft was submitted to the governments of all members of the Permanent Committee for written comments. Comments were submitted from 19 members, including the United States, and one intergovernmental organization. The first experts meetings were held in November 1977, and the eighth and last meeting is scheduled for March 1979. The new Model Law is being prepared by WIPO with the assistance of Working Groups comprised of experts from developed and developing countries. A comprehensive licensing guide on the legal aspects of the negotiation and preparation of industrial property licenses and technology transfer agreements appropriate to the needs of developing countries was published in English, French, and Spanish and will soon be used by officials in developing countries and in seminars and training courses on a regional and national level.

During 1978 WIPO provided 54 traineeships to officials from 38 developing countries in the fields of industrial property and copyright. The U.S. Patent and Trademark Office participated by providing training to six of the participants. WIPO also provided direct legal-technical assistance to 24 national and 7 regional



industrial property or copyright institutions. This included the continuing work on the UNDP-financed 5-year project for the modernization of the Brazilian patent system; modernization of industrial property law (Bolivia, Burundi, Rwanda, Sri Lanka); reorganization of industrial property offices (Bangladesh, Iraq, Mexico); modernization of trademark law (Algeria, Honduras); and joint efforts with the African Intellectual Property Organization and UNDP to develop regional industrial property cooperation among the English speaking African countries, to establish an African center for the development of technology, and to develop model laws for these countries.

The second session of the Permanent Committee for Development Cooperation Related to Copyrights and Neighboring Rights was held in March 1978. Among other things, the Committee reviewed past and current activities and plans for future activities for the promotion and protection of indigenous intellectual creativity in developing countries, pointed out the importance of the WIPO fellowships program in copyright and neighboring rights, and noted the continuing WIPO assistance to developing countries in drafting new legislation and organizing copyright administration.

#### Revision of the Paris Convention

In 1978 the United States continued its active participation in the work on revision of the Paris Convention for the Protection of Industrial Property, the most important multilateral treaty in this field. In a series of meetings, the Preparatory Intergovernmental Committee (PIC) on the Revision of the Paris Convention and the Working Groups of that Committee continued with preparations for the Geneva Diplomatic Conference, scheduled for February 1980.

The PIC held its fourth meeting June 19-30, 1978, and further considered the questions of a revised article 5A (which deals with non-working and abuses of patents, and the remedies which may be taken); proposals for incorporating inventors' certificates (which are a form of recognition for inventions given by a few Socialist countries) more fully into the Paris Convention; preferential treatment, without reciprocity, for developing country nationals in regard to fees and length of priority periods; and proposals relating to exclusive compulsory licenses. A draft text for a revised article 5A was developed and the differences of opinion over an accommodation for inventors' certificates were further defined. The many problems arising from giving preferential treatment on the basis of nationality highlighted the need for further study.

Major attention continued to be given to the alleged problem of conflict between geographical indications of origin and trademarks. Because of widely divergent opinions expressed as to the nature of any modification of the treaty, the matter has not yet been resolved and is still under active consideration by the PIC's Working Group Entrusted With Questions of Special Interest to Developing Countries.

During 1978 discussions continued concerning other provisions of the treaty which deal with the nature of the protection to be afforded to certain imported products (article 5quater) and the time period after which a trademark may be canceled for non-use



in countries where such use is compulsory (article 5C(1)). Attention was also given to the question of whether a qualified majority or unanimity would be required for revision of the treaty. This question remained open and will be discussed further by the PIC prior to the 1980 Diplomatic Conference.

### Patent Cooperation Treaty

With the deposit by the United Kingdom on October 24, 1977, of its instrument of ratification, the requirements for entry into force of the Patent Cooperation Treaty (PCT) were fulfilled and the work of the various interim committees preparing for the implementation of the treaty was accelerated.

The initial filing date for international applications under the PCT was fixed as June 1, 1978, by the Assembly of the States party to the PCT in an April 1978 Extraordinary Session. The same date was also chosen by the European Patent Organization as the one from which patent applications may be filed under the European Patent Convention.

Under the PCT, U.S. citizens and residents may file an international patent application with the U.S. Patent and Trademark Office in Washington. The effect of the international application is the same as if national applications had been concurrently filed with the national Patent Offices (including the European Patent Office) of those countries party to the PCT which the applicant designates. The international application is then subjected to a search of any similar prior applications by the U.S. Patent and Trademark Office, and the applicant is placed in a position in which he can decide, on the basis of the international search report, whether it is worthwhile to pursue his application in the various countries he has designated. National procedures in such countries are delayed until 20 months after the priority date unless the applicant asks for an earlier start.

An international application may be a first application or it may be a subsequent application invoking the priority of an application previously filed with the national office of a country party to the Paris Convention or with the European Patent Office. Where protection is sought in any country party to both the PCT and the European Patent Convention, the applicant may seek protection under the national law of that country or under the European Patent Convention.

In addition to the United States which ratified the PCT in October 1975, a total of 19 other countries had ratified or adhered to the PCT by the end of 1978.

### Other Activities

A new treaty on the international recognition of the deposit of microorganisms for the purposes of patent procedures was concluded at a diplomatic conference which was held in Budapest, Hungary, from April 14-28, 1977. The "Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure" has been signed by the United States and 17 other states; Hungary and Bulgaria have ratified the treaty. The main

feature of the treaty is that a contracting state which requires the deposit of microorganisms for purposes of patent procedure must recognize, for such purposes, the deposit of a microorganism in an international depository authority, whether or not such authority is located in the territory of the said state. When five states have ratified it, the treaty will enter into force. It will enable a patent applicant to rely on a single deposit in patenting a microbiological invention worldwide. It will also provide assurance that depositories accepting deposits for patent purposes will maintain high scientific standards in the handling and storage of microorganisms.

### WORLD HEALTH ORGANIZATION

Djibouti joined the membership of WHO during 1978, bringing the total at year's end to 151 full members and 2 associate members. The Organization is based in Geneva.

WHO began operations in 1948, setting as its chief objective "the attainment by all peoples of the highest possible level of health." The programs and priorities of WHO have closely conformed to U.S. objectives in the field of international health and effectively complemented U.S. bilateral efforts. WHO activities have also provided significant benefits to the United States itself.

In 1978, the United States continued its active participation in the work of the Organization. This included financial contributions to the regular budget and to WHO's Voluntary Fund for Health Promotion, continuing consultations with WHO officials, the exchange of health and scientific data, the loan of health experts, participation in seminars and expert advisory committees, collaboration in research, and a variety of other cooperative measures. During 1978, the United States served on WHO's 30-member Executive Board and its 9-member Program Committee.

Much of WHO's work is carried out by its six regional organizations, and the United States was also active in two of them: the regional organization for the Americas--the Pan American Sanitary Bureau, based in Washington--and the Western Pacific Regional Office, based in Manila. Countries in all six of the WHO regions meet annually to review program and budget proposals for their areas and to discuss health concerns of common interest.

### General Activities

During the year, WHO continued to promote the concept of technical cooperation with developing countries, with the objective that they be able to achieve self-reliance in matters of health. WHO's primary program areas included prevention and control of diseases, research and training in tropical diseases, an expanded program on immunization, primary health care, maternal and child health (including family planning), research and training in human reproduction, nutrition, development of health manpower, environmental health, and mental health.

In addition to administering its regular budget programs,

which totaled \$165 million in 1978, WHO continued to act as the executing agency for health and health-related projects financed through approximately \$150 million in voluntary contributions by the UNDP, UNICEF, IBRD, the UN Fund for Drug Abuse Control, UN Fund for Population Activities, regional development banks, member governments, and other sources.

### Smallpox Eradication

No case of smallpox was reported during 1978, and WHO thus moved closer to its goal of total eradication of this disease. The last confirmed case was reported in Somalia in October 1977.

The Assembly in 1978 offered a reward of \$1,000 for the first report of an active case of smallpox. In order to remove the threat caused by retention of smallpox virus, the Assembly also requested that all laboratories except WHO collaborating centers destroy their remaining stocks of variola virus or transfer them to one of the collaborating centers.

At the end of 2 full years without a newly reported case of smallpox, the Global Commission for the Certification of Smallpox Eradication will certify the eradication of the disease globally. As the Assembly has noted, this "will constitute an unprecedented event in the history of medicine."

### Primary Health Care

The primary health care concept has become the centerpiece of WHO's effort to achieve its ambitious goal of "Health for All by the Year 2000." An international conference on the subject, jointly sponsored by WHO and UNICEF, was held in Alma Ata, in the Soviet Union, in September 1978. More than 700 officials participated, including delegates from 140 governments, international bodies, and some 50 nongovernmental organizations. The U.S. delegation was headed by Dr. Julius B. Richmond, Assistant Secretary for Health and Surgeon General of the United States. A major event of the conference was a speech by Senator Edward M. Kennedy, who was invited to the gathering by the Soviet Government.

The conference unanimously adopted a declaration and recommendations for achievement of a community-based framework for programs such as immunization, nutrition and basic sanitation. The conference decided that primary health care was the key to the attainment of the "health for all" goal.

### The World Health Assembly

The World Health Assembly, an annual meeting of all WHO member nations, serves as WHO's principal decision-making forum. Its 31st session was held in Geneva, May 8-24, 1978. Delegations from 142 member states and observers from the United Nations and other specialized agencies participated. As in previous years, most of the delegates were health professionals.

For the first time, the U.S. delegation was headed by a Cabinet-level official--Joseph Califano, Secretary of Health, Education and Welfare. Addressing the Assembly on behalf of

the U.S. delegation and as personal representative of President Carter, Mr. Califano reiterated the President's commitment to human rights and human well-being, and announced several areas of international health activity in which the United States would be working in partnership with WHO.

The Assembly adopted an effective working budget for 1979 of \$182.7 million, and agreed that for the biennium 1980-81 the effective program budget level could increase only up to 2% per year beyond fully substantiated cost increases. The Assembly also reelected Dr. Halfdan Mahler (Denmark) to a second 5-year term as Director General of WHO.

Program decisions included the promotion of breast-feeding through health education, legislative and social action, and through national regulation of inappropriate sales promotion of infant foods to replace breast milk; establishment of a program of research and development in nutrition, oriented primarily to the needs of developing countries; support of an expanded program to control diarrheal diseases, which are a principal cause of high morbidity and mortality in developing countries, particularly among children; an appeal to governments for firm national commitments to combat malaria; the development of a program to evaluate the health effects of chemical and biological factors in the environment; and action on drug policy that takes a constructive approach to the problem of helping developing countries obtain maximum health benefits for their expenditures on drugs.

The Assembly also supported an expanded program on immunization, which has set the goal of providing by 1990 immunizations for all children of the world, particularly against six major childhood diseases--diphtheria, whooping cough, tetanus, measles, tuberculosis, and polio. It also endorsed a four-part anti-smoking campaign.

WHO again adopted a resolution expressing concern about health of the Arab populations in Israeli occupied territories and condemning Israeli practices, but the debate was less impassioned and more brief than in past years. The vote--71 to 22 (U.S.), with 22 abstentions--was similar to the previous year. The Assembly also adopted a resolution on cooperation with emerging and newly independent African countries that was more critical of South Africa and Southern Rhodesia than those in past years and that was more specific than earlier resolutions in urging that WHO and member states provide health assistance to liberation movements recognized by the Organization of African Unity.

#### INTERNATIONAL CIVIL AVIATION ORGANIZATION

In 1978, Djibouti and Botswana adhered to the 1944 Chicago Convention on International Civil Aviation, increasing ICAO's membership to 144 governments. All ICAO meetings mentioned in this report were held at the headquarters of the Organization in Montreal.

#### Council

The ICAO Council, the executive body of the Organization,



has 30 members. The Council and its four standing committees--Air Transport, Joint Support, Unlawful Interference, and Finance--meet at ICAO headquarters during much of the year. The Council and its Committee on Unlawful Interference devoted considerable attention to proposals by the United States and other governments for upgrading the International Standards and Recommended Practices (SARPS) for safeguarding international civil aviation against acts of unlawful interference. As a result, the Council adopted an amendment to Annex 17 (Security) to the Chicago Convention. This amendment includes new recommended practices calling for review by states of the level of threat within their territory, development of civil aviation security training programs, isolation of security-processed passengers, inspection of aircraft for concealed weapons or other dangerous devices, and the adoption of measures for the safety of passengers and crew of unlawfully diverted aircraft. A number of the Standards and Recommended Practices were amplified, and one Recommended Practice on segregation and special guarding of aircraft which are likely to be attacked was upgraded to a Standard.

Other important Annexes to which the Council adopted amendments during 1978 upon the recommendation of the Air Navigation Commission were Annexes 6 (Operation of Aircraft), 10 (Aeronautical Telecommunications), and 13 (Aircraft Accident Investigation). These amendments dealt respectively with protection of cabin attendants during flight, a change in the recommended Instrument Landing System (ILS) glidepath angle to conform with U.S. practice and further clarification of the SARPS for accident investigation. In accordance with a proposal of the U.S. Representative, the Council charged the Air Navigation Commission with reexamining ICAO provisions and guidance material aimed at eliminating or reducing to a minimum the need for interception of civil aircraft and the inherent risks involved. The Commission is scheduled to undertake this work in 1979.

By a vote of 21 to 2 (U.S.), with 6 abstentions, the Council, after three meetings of acrimonious debate in June, approved a proposal to change the procedure for appointment of ICAO Bureau Directors. The new procedure provides for an *ad hoc* commission, consisting of three vice presidents of the Council and five chairmen of its committees, to select a short list of candidates they consider qualified, after receiving general comments of the Secretary General and President of the Council, and to submit the list to the Council for a selection by ballot. The United States much preferred the previous method of having the Secretary General appoint bureau directors subject to the approval of the President, who consulted informally with the Council Representatives. Nevertheless, the new procedure did not prevent two United States nationals from being included on a short list of candidates for the Directorship of the Air Navigation Bureau at the year's end.

The Council in the fall accepted the recommendation of its Committee on Joint Support of Air Navigation Services <sup>23/</sup>which would change the criteria for reporting North Atlantic crossings

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<sup>23/</sup> Based on a Recommendation of the North Atlantic Crossings Panel.

in order to relate benefits derived to sharing by states of the costs of the jointly financed air navigation facilities and services in Iceland and Greenland. This Committee's recommendation that the Council accept Denmark's revised date of July 1, 1979, for withdrawal of joint financing of certain meteorological and communication services in Greenland was also approved. The Council ended its fall session by adopting, with only the United States in opposition, a questionable resolution, recommended by the Air Transport Committee, requesting contracting states to refrain from any unilateral action which would endanger multilateral fares and rates setting systems. The basis for this resolution referred to in a preambulatory clause, was the U.S. Civil Aeronautics Board's Show-Cause Order of June 9 proposing to withdraw U.S. antitrust immunity for the traffic conference machinery of the International Air Transport Association.

### Air Navigation Meetings

The ICAO All-Weather Operations Divisional Meeting in April voted by a large majority to recommend the U.S. Microwave Landing System, the Time Reference Scanning Beam, for international standardization. The vote by secret ballot was 39 states for the TRSB/Interscan 24/system, 24 for the U.K.-backed Doppler system, and 8 states abstaining. This decision was later confirmed by the ICAO Air Navigation Commission and Council. The new ICAO system, with its more flexible landing path, is expected to be installed first at small airports around the world that have no landing system, and will eventually replace the present ILS at the world's major airports.

Also in April, the Dangerous Goods Panel completed its work on the development of a new Annex to the Chicago Convention dealing with the safe transport of dangerous goods by air. The proposed Annex, containing the broad specifications designed to provide states with means to control overall policies, and supporting Technical Instructions were then reviewed by the Air Navigation Commission. The Commission proposed a number of changes and sent all the material to ICAO member states for comment.

A Communications Divisional Meeting was held May 16 to June 8 for the purpose of coordinating the views of states and international organizations on an international civil aviation position for the ITU World Administrative Radio Conference (WARC) to be held at Geneva in 1979. The ICAO meeting also considered matters arising from the ITU World Administrative Radio Conference, Aeronautical Mobile (R) Service (AM(R)S) held early in 1978. The meeting decided that the Transition Program from double to single sideband classes of emission in radio telephony communications for international aviation, utilizing frequencies allocated to the high frequency (HF) AM(R)S, should be accomplished in three phases. Consequential recommendations were made for amendment of ICAO Annexes 6 and 10. Since the meeting was unable to complete this agenda item, it was necessary to appoint an ad hoc subgroup of ICAO's Frequency Management

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24 / Called TRSB/Interscan in recognition of joint U.S.-Australian development.

Study Group to complete a draft ICAO Transition Program to facilitate the orderly transfer from the existing Frequency Allotment Plan of the ITU Radio Regulations to the new Frequency Allotment Plan.

The Committee on Aircraft Engine Emissions at its first meeting, held June 12-22, drafted a Statement of Advice to the Council on the overall effect of aircraft engine emissions containing the following points: (1) aviation's contribution to overall air pollution throughout the world is very small (much less than 1%). Although a large number of sources of pollution, of which aircraft are one, are individually small, together they make a major contribution to atmospheric pollution which can only be reduced if each source is controlled; (2) most airports in the world do not have a significant adverse impact on air quality in the surrounding region; (3) because controls are being introduced on air pollution by sources other than aircraft, some high traffic airports during the next decade are likely to exert relatively greater impact on air quality unless aircraft emissions are controlled; and (4) ICAO should continue its present work program in order to prevent the contribution of aircraft emissions from becoming significant in the future. However, the Committee saw no need for retrofit of aircraft engines currently in service.

The Committee developed details of certification schemes for future aircraft engines for inclusion in an ICAO Annex. After a preliminary review by the Air Navigation Commission and Council, this material was sent to states for comment. Major elements included are standards prohibiting fuel venting, limiting smoke emissions, and requiring the measurement and recording of aircraft engine emissions. Guidance material was prepared suggesting limiting levels for gaseous emissions and smoke from newly manufactured engines.

### Air Transport Meetings

The Panel of Experts on Regulation of Air Transport Services met for the first time July 17 to 28 for the purpose of discussing two recommendations of the 1977 ICAO Special Air Transport Conference with which the United States did not agree. These two recommendations asserted needs (1) to maintain a distinction between scheduled and non-scheduled international air transport; and (2) to regulate capacity in international air transport services. The Panel recognized that the 1952 ICAO Definition of a Scheduled International Air Service is out of date. Characteristics for scheduled and non-scheduled services were then identified and broken down into economic, legal, and regulatory categories. After considerable U.S. insistence, the Panel turned away from a unified effort to develop and refine techniques for prior determination of capacity and recognized that regulation and philosophy of capacity vary according to political and economic policies of individual countries. The Panel discussed the establishment and use of criteria to formulate alternative methods for regulating capacity on scheduled and non-scheduled international air transport services and agreed that there are three basic alternative approaches to regulation on a bilateral basis: (1) the competitive market approach; (2) the ex post facto review approach of the 1946 U.S.-U.K. Air Services Agreement; and (3) predetermination. Since all members agreed that this initial



meeting of the Panel could produce only preliminary and tentative views, no recommendations were adopted. However, members were asked to submit to the ICAO Secretariat by September 30 any comment, factual material or statement of policy relating to the Panel's two subjects.

The third meeting of the Fares and Rates Panel was held November 13 to 24 with only 7 members out of a total of 15 present. The basic paper discussed was a survey of policies and practices in the establishment of tariffs for international non-scheduled passenger operations prepared by the ICAO Secretariat. In order to expedite the Panel's work, the U.S. Representative presented a paper drawing observations and conclusions on results of the survey, which were then used in developing recommendations. All ten recommendations of the Panel are addressed to states and apply essentially to the affinity group, non-affinity group, and inclusive tour types of charter. They deal with provisions for bilateral/multilateral regulation of non-scheduled tariff machinery, situation of travel organizers, consultation among carriers and intermediaries, and policies concerning tariff filing and price control.

### Legal Activities

The Legal Committee, meeting from February 8 to 27, endorsed the recommendation of its Special Subcommittee for a draft amendment to the Chicago Convention to deal with the problems raised by articles 12, 31 and 32(a) when an aircraft registered in one state is operated by an operator belonging to another state. The Committee agreed on the text of a draft article 83 bis whereby agreements between or among states to transfer all or part of the responsibilities under articles 12, 30, 31 and 32(a) of the Convention from the state of registry to the state of the operator, in international lease, charter and interchange operations, would be recognized by all states parties to the Convention. When the Committee added article 30 (aircraft radio equipment) to the draft amendment, the United States expressed concern that this addition could conflict with the 1959 Geneva Radio Regulations issued by the ITU. In December, after the ITU Secretariat said it would conflict, the United States informed that organization that it believed the reference to article 30 should be deleted from the proposed article 83 bis.

The International Conference on Air Law held September 6 to 23 had as its purpose the consideration of draft articles for amendment of the 1952 Rome Convention on Damage Caused by Foreign Aircraft to Third Parties on the Surface. Fifty-eight governments were represented. The upper limit of liability for one accident was increased from approximately \$3 million to approximately \$29 million. The limit of liability in respect of loss of life or personal injury was increased from approximately \$41,650 to \$156,250. In accordance with the U.S. position, proposals to include noise and sonic boom and nuclear damage within the scope of the Convention were defeated. The Protocol to amend the Convention, opened for signature on September 23, was not signed by the United States, which takes the position that such a convention is not necessary.



## INTERNATIONAL MARITIME CONSULTATIVE ORGANIZATION

Mauritius, Somalia and Seychelles joined IMCO during 1978, bringing the total membership to 107 full members and one associate member.

### Organization

Since its inception in 1959, IMCO has had its headquarters in London. The principal purposes of IMCO are to provide a forum for cooperation among maritime states in technical matters of all kinds affecting shipping engaged in international trade; to encourage the adoption of the highest practicable standards of maritime safety, efficiency of navigation, and the prevention and control of marine pollution from ships; to remove discriminatory restrictions affecting shipping engaged in international trade; to consider any matters concerning shipping referred to it by the United Nations; and to exchange information among governments on technical matters concerning shipping. The principal products of IMCO are conventions, agreements, and other suitable instruments adopted by member governments at IMCO biennial assemblies or at diplomatic conferences convened by IMCO.

The work of IMCO is accomplished through various forums: the Assembly of all members; the Council (enlarged from 18 to 24 on April 1, 1978); the committees (generally composed of all members)--the Maritime Safety (MSC), the Marine Environment Protection (MEPC), Legal, Facilitation, and Technical Cooperation; and various technical subcommittees of the MSC and MEPC. With the expansion of the MSC from 16 to all members on April 1, 1978, each of the committees now consists of the full membership of the Organization. Proposals initiated in subcommittees are referred for review to the appropriate committees, and proposals of the committees are reviewed by the Council and referred to the Assembly for final approval. Major conventions are elaborated and adopted by plenipotentiary conferences.

In 1978 IMCO held two successful International Conferences: (1) the February Conference on Tanker Safety and Pollution Prevention (TSPP), at which there was concluded the 1978 Protocol to the 1973 Convention on Prevention of Pollution from Ships (MARPOL 73), and the 1978 Protocol to the 1974 Convention of Safety of Life at Sea (SOLAS 74); and (2) the June/July Conference on Standards of Training and Watchkeeping (STW). The STW Conference concluded the Convention of Training and Certification of Seafarers. Both conferences were the culmination of the proposals presented to the Council by Secretary of Transportation Brock Adams in April, 1977.

The U.S. proposals had as their objective the reduction and eventual elimination of oil pollution caused by tanker accidents and by routine operational discharges from ships. The TSPP Conference was attended by 62 member countries and the STW Conference by 72 member countries. Industry, labor, and environmental groups were well represented at both conferences.

The 1971 Convention on the Establishment of an International

Fund for Compensation for Oil Pollution Damage came into force October 18 and the first meeting of the Oil Pollution Fund Assembly met at IMCO November 13-17, 1978. The United States participated as an observer since the United States has not yet acceded to the 1971 Convention.

IMCO's year was overshadowed by the disastrous sinking of the U.S. owned Amoco Cadiz, off the Brittany coast of France, ironically enough on March 17, IMCO's first annual World Maritime Day. The resulting pollution of the French coast was the worst in maritime history.

### Council

The Council spent much of its 40th session, May 22-26, considering proposals submitted by France to prevent or ameliorate disasters such as the sinking of the Amoco Cadiz of March 17. The Council charged the MSC, the MEPC, and the Legal Committee to study, on an urgent basis, corrective measures necessary to prevent recurrence of such disasters. The Council also took steps to promote rapid implementation of the tanker safety and pollution prevention protocols adopted at the TSPP Conference of February 1978. It authorized three new positions for special consultants to explain the protocols and assist governments in preparing implementing legislation.

At its 41st regular session, October 23-27, the Council noted the successful completion of the International Conference on Training and Certification of Seafarers, and authorized the Secretary General to accept and perform the functions of depositary, as well as other functions assigned to IMCO under the Convention. It noted the coming into force on October 18 of the International Oil Pollution Compensation Fund Convention and authorized the Secretary General to provide the necessary assistance for setting up the Fund, including accommodations, supporting staff and financing (on a reimbursable basis). The Council continued its review of progress made by subsidiary organs and attended to administrative matters affecting the Organization.

### Assembly

There was no regular or extraordinary meeting of the Assembly during 1978.

### Maritime Safety Committee (MSC)

From June 14 to July 7, the United Kingdom hosted the international conference at which participating members elaborated the first comprehensive Convention on Training and Certification of Seafarers. The conference was the result of over 5 years of preparatory effort by the MSC and is considered to be one of the most significant accomplishments to date. Technical work continued on a broad front including: preparation of a draft Search and Rescue Manual (IMCOSAR), new and amended traffic separation schemes, amendments to the Plan for Establishment of a World-Wide Navigation Warning System, preparation of the World Administration Radio Conference (WARC 1979), draft of a Code for Construction and Equipment of Ships Carrying Liquified Gases in Bulk, and the

proposals brought by France following the Amoco Cadiz. There was growing concern that implementation and harmonization of existing conventions, rather than development of new standards, should be the goal of the Committee as well as the Organization.

#### Maritime Environment Protection Committee (MEPC)

The Amoco Cadiz disaster caused the MEPC to focus on steering systems, propulsion and electrical power plants, reporting systems for incidents on the high seas, traffic separation schemes, and contingency planning for oil spills. In other areas the MEPC approved additional sections of the Comprehensive Anti-Pollution Manual, and prescribed a system for testing and approval of anti-pollution equipment. The Committee began a review of the rules of salvage and continued its work on guidelines for reception facilities in ports. It established an intersessional working group to consider regional arrangements for combatting massive oil spills. The United States submitted a draft Section IV of the Manual on Methods for Dealing with Spillage of Oil. By way of speeding ratification of the anti-pollution conventions the Committee called for an annual report by each member state of action taken during the year toward ratification and implementation of the IMCO anti-pollution conventions.

#### Technical Cooperation Committee

The Governing Council of UNDP at its June 1978 meeting approved IMCO's full request for \$300,000 of sectoral support money to fund four interregional anti-pollution advisers. This enabled IMCO to establish a complete network of regional and inter-regional advisory services to assist member countries in implementing the protocols adopted by the 1978 TSPP Conference and the 1978 Conference on Training and Certification of Seafarers. UNDP also approved a \$2,000,000 project document for the regional Academy for Science and Techniques of the Sea at Abidjan to be executed by IMCO. There was also an increase in voluntary bilateral assistance through IMCO and additional nominations of experts to be made available through the Marine Safety Corps. IMCO officials participated in the Buenos Aires Conference on Technical Cooperation Among Developing Countries (TCDC) and the Technical Cooperation Committee welcomed the advent of TCDC.

#### Legal Committee

The Legal Committee held four sessions in 1978. At the 34th session, in January, the Committee began to draft a new instrument to provide a liability and compensation scheme for seaborne noxious and hazardous substances other than oil. At the 35th session, in May, it revised its agenda to consider issues raised by the Amoco Cadiz: intervention by coastal states, reporting requirements for damaged or inoperative ships, and the limits of compensation for victims of disastrous pollution incidents. At the 36th session, in June, the Committee continued its work on liability for damages from noxious and hazardous substances other than oil, and the problems raised by France in connection with the Amoco Cadiz. An intersessional drafting group including the United States was charged to prepare a preliminary draft on liability for review by the Committee. At the 37th session, in November, the Committee



continued its study of legal questions related to Amoco Cadiz, the liability for noxious substances, and the question of raising the limits of compensation available to victims of oil pollution under the 1961 Civil Liability Convention and the 1971 Oil Pollution Compensation Fund.

### Facilitation Committee

At its 12th session in April, 1978 the Facilitation Committee devoted most of its time to development of a procedure for more rapid amendment of the Technical Annex of the Convention of Facilitation of International Maritime Traffic, 1965. The present method of amendment requires a diplomatic conference. The new procedure, contained in the revised article VII, would provide a permanent solution for amendments without having to resort to diplomatic conferences, as in 1977, to introduce improved facilitation practices in the annex to the Convention. The Committee also undertook a general review of IMCO facilitation activities and identified a number of possible amendments as warranting future action.

### INTERNATIONAL TELECOMMUNICATION UNION

During 1978, no countries acceded to the International Telecommunication Union Convention, so that the total membership of the ITU at the end of 1978 remained 154 members.

### Administrative Council

The Administrative Council, of which the United States is a member, held its 33rd session in Geneva, May 15-June 1, 1978. The United States joined in the Council's approval of a 1979 Ordinary Budget of 61.557 million Swiss francs, an increase of 1% over the 1978 Budget of 60.6 million Swiss francs, but well under the original proposal received from the Secretary General of 63.178 million Swiss francs. The size of a contributory unit was reduced sharply from the 1978 figure of 131,800 Swiss francs to 126,400 Swiss francs. This reduction was made possible by a larger than usual drawdown on the Reserve Account. Accordingly, the U.S. contribution to the International Telecommunication Union for 1979 of 3.792 million Swiss francs is well under the 1978 figure of 3.954 million Swiss francs.

The Council also reviewed the agenda adopted at its 1976 meeting, and modified at its 1977 meeting, for the 1979 World Administrative Radio Conference (WARC) which will undertake a general revision of the Radio Regulations. Taking into account that the agenda did not provide for a revision of many regulations, particularly those relating to some individual services, the United States joined in approving a resolution recommending that the 1979 WARC may consider a WARC for the mobile service and suggest an appropriate course of action.

### Other Permanent Organs

The permanent technical organs of the ITU--the International



Radio Consultative Committee (CCIR), the International Telegraph and Telephone Consultative Committee (CCITT), and the International Frequency Registration Board (IFRB)--were all active during 1978. CCIR's Study Groups continued their work pursuant to the program approved by the 13th plenary Assembly of the CCIR in 1974 and as updated by the 14th plenary in mid-1978. The CCIR studies and develops recommendations on the technical and operating aspects of all forms of radio communications. During 1978, a major accomplishment of the CCIR Study Groups was the holding of a Special Preparatory Meeting which prepared the technical bases for the WARC to be held in 1979.

CCITT's Study Groups continued their work for the period 1977-80 pursuant to the program approved for them by the 7th plenary Assembly of the CCITT in 1976. Studies of technical, operating, and tariff questions with respect to telegraphy and telephony are being undertaken to further the development of recommendations which largely govern the operation of the world's telecommunication networks.

The essential function of the IFRB is the technical examination and registration of radio frequency notifications, including those for space telecommunication systems, in order to insure interference-free operations throughout the world. The IFRB and its staff continued to carry out this function fully and effectively.

#### Technical Assistance

As a UNDP executing agency, the ITU assists developing nations to improve their telecommunication capabilities by the establishment and staffing of training institutes; a program of technical telecommunications seminars; and the recruitment of technical experts from developed countries, including the United States, to advise on specific telecommunications projects and to conduct studies in developing countries.

At the last Administrative Council meeting certain developing countries made a proposal to study the possibility of creating and supplying a special fund for technical cooperation purposes. The original proposal called for the immediate establishment of an intersectoral working group with terms of reference implying a recommendation to use regular budget funds for technical cooperation purposes. The United States and several other members of the Council, however, resisted this proposal. As accepted by the Council, the final resolution called for the establishment of a working group by the 1979 Administrative Council, which will be responsible for determining its composition and terms of reference. Additionally, the resolution calls for the working group to meet during the Administrative Council session, rather than inter-sessionally.

Mention should be made of the "Special Autonomous Working Parties" (GAS), set up to consider questions of particular interest to the developing countries. These groups have prepared technical manuals on rural telecommunications and network planning, transmission systems, and economic conditions and telecommunications development, which are much sought after by developing countries. An additional manual on economic and technical aspects of the choice

of switching systems is under preparation.

### UNIVERSAL POSTAL UNION

During 1978 Grenada and Djibouti became members of the UPU and Portugal withdrew its membership for the Portuguese territories in Asia and Oceania. Membership in the UPU was 160 at the end of the year.

The 40-member Executive Council is the Union's administrative body, and the 35-member Consultative Council for Postal Studies (CCPS) is its technical body. Because UPU regulations limit Executive Council membership to two consecutive 5-year terms, the United States, which had been a member following the Vienna Congress (1964) and the Tokyo Congress (1969), was ineligible for membership for the 5 years following the Lausanne Congress in 1974. The United States is, however, a Vice Chairman of the CCPS, and in that capacity may attend the Executive Council meetings as an observer.

### Executive Council

At its annual meeting, held in May 1978 at UPU headquarters in Bern, Switzerland, the Executive Council reviewed various studies undertaken by the CCPS. The studies, which will be referred for decision to the 1979 Congress, included the following subjects of interest to the United States: transit and terminal charges for postal services, and the factors to be considered in fixing rate scales; maximizing the use of airmail; speeding up the handling of airmail on the ground; size limits of postal parcels; customs treatment of postal items; and conditions of acceptance of letter-post items. The Council approved estimated budgets of 14,434,400 Swiss francs for 1978 and 17,037,800 Swiss francs for 1979. The latter figure includes 2,135,200 Swiss francs for the 18th Congress, which will be held in Rio de Janeiro.

In addition to serving as an executing agency for UNDP-financed postal projects, the UPU maintains a voluntary Special Fund of its own for technical assistance. Twenty-eight states and one restricted postal union pledged 542,673 Swiss francs to the UPU Special Fund during 1978. The United States does not contribute to this fund.

### Consultative Council for Postal Studies

The CCPS met in Bern in November 1978. For the period 1974-79 the United States served as Vice Chairman of Committee I of the CCPS. In this capacity representatives of the U.S. Postal Service are responsible for directing 17 study groups, which lead investigations on the technical, operational, and financial aspects of the postal service.

Among the CCPS studies with special significance for the United States are those concerning computer usage in postal services; standardization of the address location on regular and window envelopes; security of high value items, especially those conveyed by air; the properties of envelopes and items affixed to

envelopes as they pertain to the use and effectiveness of Optical Character Reading and Bar Code Reading; containerization of postal items; and marking of registered items and location of service labels. The work of the various study groups resulted in the formulation and approval by the CCPS of proposals and recommendations which will be considered at the 18th Congress. The CCPS also formulated a list of study topics that it recommended for the succeeding CCPS in its next 5-year program (1980-84).

## WORLD METEOROLOGICAL ORGANIZATION

With the accession of the Maldives, Djibouti, and the Gambia, the membership of the WMO at the end of 1978 included 143 states and 6 territories. The 30th annual session of the Executive Committee was held at the WMO headquarters in Geneva, May 25-June 15, 1978, under the chairmanship of M.F. Taha (Egypt).

### Preparation for the Eighth Congress

The Executive Committee considered the action to be taken in preparation for the eighth quadrennial Congress of WMO which will meet in Geneva from April 30 to May 26, 1979. One of the major tasks of the Committee was to examine and prepare a report on the Secretary General's proposals for the program and budget for the next 4-year financial period, 1980-83. The Committee felt that the World Weather Watch (WWW) would remain a basic and most important program of the Organization, although increased attention would be given to such activities as scientific research programs, the proposed new World Climate Program, monitoring of the atmosphere, applications programs (including hydrology), and joint programs with other organizations within the United Nations.

### World Weather Watch

In reviewing the WWW plan for 1976-79, the Executive Committee expressed satisfaction with the progress in the space-based sub-system of the Global Observing System (GOS), but was concerned at the lack of improvement in respect of surface and upper air observational data and their global exchange. The Committee, therefore, took steps for further improvement in the implementation of the WWW. The Committee agreed that the proposed WWW for the period 1980-83 should be assessed in a more realistic and practical way than hitherto, taking into account the actual capability of each country. The Committee also encouraged studies which would lead to the formulation of projects for setting up and operating observing systems over ocean areas by a group of members.

### Global Atmospheric Research Program (GARP)

The Executive Committee reviewed the status of the implementation of the First Global GARP Experiment (FGGE), also known as the Global Weather Experiment, which will take place for a period of one year for December 1, 1978. The main scientific objective of GARP is to achieve on a global scale observations of the atmospheric circulation around the earth. The FGGE

program calls for a continuous year of global observations in which virtually every nation on the planet will participate with satellites, ships, and land observations.

### Weather Modification

The Committee reviewed the status of the Precipitation Enhancement Project (PEP). The Secretary General was requested to proceed with the last stage of studies to the selection of a site for the experiment; an area in northwestern Spain is under consideration. The Committee also agreed to the holding of a 2-week workshop in Spain to provide training in the essential measurements involved in a sound weather modification experiment.

### Agro-Meteorology

The Committee expressed its support for a resolution adopted in 1977 by the FAO Conference on cooperation with WMO and adopted in turn a resolution of its own approving a plan of action for 1979 for agro-meteorological activities in aid of food production. Members were also urged to insure that full use is made of available climatological and meteorological information in agricultural planning and operations, in close collaboration between agricultural institutions and national meteorological services.

### Meteorology and Energy Problems

The progress made in the implementation of priority items in the WMO plans in the field of energy problems was reviewed by the Executive Committee and the future work program was approved. This program includes the preparation, in collaboration with IAEA, of a technical note on the meteorological and hydrological aspects of nuclear power plant siting. Another technical note on the meteorological aspects of the utilization of solar radiation as an energy source and a joint meeting between meteorologists and technologists in the field of solar and wind energy was discussed.

### Hydrology and Water Resources Development

It was generally agreed that most of the recommendations addressed to WMO by the UN Water Conference were met by already existing or planned activities. Two areas in which a new thrust was needed were (1) the assembling and processing of meteorological and hydrological data for use in urban and agricultural water supply projects and (2) the provision and exchange of readily applicable technology for use in water resource development projects.

### World Climate Program

The World Climate Program (WCP) was one of the main pre-occupations of the Executive Committee. The Committee agreed on basic principles for the WCP and adopted a resolution specifying three component programs--the Climate Data and Applications Program, the Program for the Study of the Impacts of Climate on Human Activities, and the Program for Research on Climatic Change and Variability. The scope and content of the component programs were also agreed upon. The eighth WMO Congress will be invited



to approve WCP as a major program of the Organization.

### INTERNATIONAL ATOMIC ENERGY AGENCY

The objectives of the IAEA as set forth in its statute are to seek to accelerate and enlarge the contribution of atomic energy to peace, health, and prosperity throughout the world and to insure that assistance provided by it, or at its request, or under its supervision and control, is not used in such a way as to further any military purpose. Thus, the Agency is mandated to discharge important responsibilities regarding the promotion of nuclear development as well as to monitor the use of nuclear materials in all its member states, in accordance with its safeguards agreements.

### General Conference and Board of Governors Meetings

The General Conference, an annual meeting open to the IAEA's 110 members, met in Vienna in September 1978, and the Board of Governors, composed of 34 countries, convened, as is the usual practice, in February, June, and September as well as in a special session in April to discuss the progress of negotiations on the IAEA/Euratom safeguards agreement.

The 22nd General Conference had a number of important issues before it: 1979 budget, elections to the Board of Governors, and a proposed amendment to the statute to expand the Board of Governors. The General Conference's review of the Agency's programs, especially its budget for 1979, took place in the context of the Agency's growing safeguards and technical assistance activities together with the financial implications of continued inflation and exchange rate fluctuations. In addition, the increased operating costs for the Vienna International Center to which the IAEA is scheduled to move in 1979 contributed to a large increase in the 1979 budget. During the debate on the budget, a number of the delegates deplored the large budget increase for 1979. However, the budget was approved, as recommended by the June Board, at \$65.177 million.

There were eleven vacancies on the Board coming up for election at the 1978 General Conference. In all but the Latin American region, the various regional groups had settled on consensus candidates. The Latin Americans had agreed among themselves to support the candidacies of Brazil and Venezuela but there was no consensus on whether to support Guatemala or Cuba for the third seat. The first round of balloting between Guatemala and Cuba did not result in a majority for either country; on the second ballot, Guatemala narrowly defeated Cuba.

Expansion of the Board of Governors was again the focus of considerable attention at the General Conference. The Conference had before it a proposed amendment to the statute sponsored by Pakistan, Iran, and Saudi Arabia. The amendment provided for an expansion of the Board by two seats; one for the Middle East-South Asian region and one for the African region. The United States and Western and Eastern Europeans opposed expansion, believing that the size of the present Board is already approaching

the limits of effectiveness and provides for an equitable mix of factors which should be considered in arriving at a fair representation of all member states. As in 1977, no expansion amendment was adopted. Instead, the outcome of the debate was a consensus resolution calling for the Board of Governors to give further consideration to proposals for increased representation for the African and Middle East-South Asian region.

### General Assembly Consideration

The issue of Board expansion arose again in the fall of 1978 during consideration by the 33rd General Assembly of the IAEA's Annual Report. On November 2, Saudi Arabia (Chairman of the IAEA Board of Governors) introduced a general, laudatory resolution on the report of the IAEA, but which specifically invited the IAEA to give consideration to proposals for an increase in the representation of the areas of Africa and the Middle East and of South Asia on the IAEA Board. The resolution was adopted by consensus on November 2. (Resolution 33/3.)

### IAEA Programs: Safeguards

As specified in its statute, one of the IAEA's major functions is to insure that nuclear materials and equipment intended for peaceful use are not diverted to military purposes. The significance of this function was reenforced considerably as a result of the entry into force of the Non-Proliferation Treaty (NPT) in 1970. Under the provisions of article III of the NPT, each non-nuclear-weapon state party to the treaty undertakes to place all its source or special fissionable material in all its peaceful nuclear activities under IAEA safeguards.

By the end of 1978, 61 of the 103 non-nuclear-weapons states party to NPT had concluded with the Agency agreements placing all their nuclear activities under IAEA safeguards. In 1978, the IAEA was also applying safeguards in 12 non-nuclear-weapons states not party to the NPT which had substantial nuclear activities.

The number of nuclear installations under IAEA safeguards or containing safeguarded material increased in 1978. The considerable increase in inspection effort reflects the result of a significant increase in the amount of nuclear material under safeguards. In 1978, the Secretariat in carrying out the safeguards program of the Agency, did not detect any anomaly which would indicate the diversion of a significant amount of safeguarded nuclear material for the manufacture of any nuclear weapon or for furthering any other military purpose, or for the manufacture of any other nuclear explosive device.

The Agency continued to improve its procedures for safeguarding types of facilities--such as reprocessing plants, enrichment plants, and mixed oxide fabrication plants which are now coming under safeguards. The United States has contributed to this effort with a special program to strengthen IAEA safeguards. The U.S. Government attaches high importance to IAEA safeguards efforts. Funded at \$5.6 million in 1978, the U.S. safeguards support is directed at developing ways by which IAEA safeguards can be made more effective at supporting the Agency's role in

related non-proliferation activities, such as the International Nuclear Fuel Cycle Evaluation.

### Technical Assistance

The main objectives of the Agency's technical assistance program are to promote the transfer of skills and knowledge relating to the peaceful uses of atomic energy, to support the efforts made by recipient countries to carry out their atomic energy activities more efficiently and safely, and to insure that the knowledge acquired can continue to be applied after the provision of IAEA assistance has been completed.

As a part of the 1978 IAEA technical assistance program, expert services and equipment were provided to member states in Africa, the Middle East, Asia, Latin America, and Europe. Member states benefited from fellowships offered by the IAEA and by the United States and other contributors. The Agency also organized a number of interregional specialized training courses and study tours for nationals of developing member states and continued to execute a number of projects funded by the UNDP. The largest areas of activity are nuclear engineering and technology and the application of isotopes and radiation in agriculture.

The United States considers it important to assist the Agency in maintaining a balance among the different components of its program. It has therefore consistently supported the IAEA technical assistance program over the years through provision of experts' services, equipment and fellowships, and through the support of IAEA training courses in the United States and through cash contributions. The total U.S. voluntary contribution in 1978 was \$4.4 million of which \$1.75 million was in cash to the Agency and the remainder was in the form of goods and services.

### Nuclear Safety and Environmental Protection

The Agency is devoting a large and wide ranging effort to the improvement of nuclear safety. For the past 5 years, work has been proceeding on the preparation of a series of some 50 codes of practice and safety guides for nuclear power stations. These codes and guides provide a standard framework to which countries can refer when embarking on a nuclear power program, or in improving the safety of operating nuclear power plants.

One of the ways that the Agency is helping with problems encountered by developing countries with nuclear power programs, such as the safety aspects of site selection and the safety assessment of plants before construction and during operation, is by sending short-term expert missions. During 1978, such missions visited nine countries regarding nuclear power plants and eight countries regarding the safety level of research reactors.

### Other Agency Programs

The nuclear power and reactors program provides technical and economic information to all member states and supplies assistance to developing countries in the planning and implementation of nuclear power programs. The joint FAO/IAEA program on food and

agriculture is designed to help developing member states to apply isotope and radiation techniques in the production and protection of food. In the life sciences, the IAEA is concerned with promotion applications of radiation which are beneficial and with learning how to avoid harmful effects.

Since its initiation in 1970, the Agency's International Nuclear Information System (INIS), the world's only comprehensive abstracting and indexing service in the field of atomic energy, has established an excellent record in the collection and dissemination of information on the peaceful uses of nuclear energy.

The number of member states participating in INIS increased by 8 members to 60 in 1978. Together with 13 international organizations, these countries contributed over 70,000 items of input to the system in 1978, bringing the total size of the information file to almost 400,000 items.

### International Nuclear Fuel Cycle Evaluation (INFCE)

In October 1977, the organizing conference of the INFCE, a U.S. initiative, was held in Washington. The purpose of this initiative is to explore with the 50 or so participants means of minimizing the danger of proliferation without jeopardizing the development or supply of nuclear energy. The IAEA is one of the key participants, and from the inception it was agreed that IAEA would play a special role providing secretariat and other administrative services for the evaluation as well as providing scientific and technical input to the studies. This evaluation will continue through early 1980.

### Budget

The IAEA is financed by means of a regular budget and an operational budget. The former is supported by members' assessed contributions and the Agency's income from other sources, i.e., sales of publications, joint services arrangements with UNIDO, etc. The assessments are levied on member states according to a scale based on the UN scale of assessments modified slightly to reflect the component of safeguards costs. The operational budget is mainly supported by voluntary contributions of member states.

The 21st General Conference adopted a total regular budget for 1978 of \$51,379,000. The U.S. rate on the scale of assessment was established at 26.29%. The General Conference also allocated \$8,505,000 to the Agency's operational program for 1978, of which \$7 million was to come from voluntary contributions and the remainder from other sources.



**PART III.**

**TRUSTEESHIP  
AND  
DEPENDENT  
AREAS**

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The number of non-self-governing territories has steadily declined over the years, but there is still considerable UN interest in those areas it considered to be colonial. UN consideration of dependent area questions is carried out principally in three bodies--the Trusteeship Council, the General Assembly's Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Committee of 24), and the General Assembly's Fourth Committee (Trust and Non-Self-Governing Territories). Additionally, in 1978, the General Assembly considered Namibia directly in plenary meetings without prior referral to a main committee, and the Security Council considered both Namibia and Southern Rhodesia.

Chapter XI of the Charter sets forth the responsibilities of states for "the administration of territories whose peoples have not yet attained a full measure of self-government." These "non-self-governing territories" are considered annually by the Committee of 24, which is charged with making suggestions and recommendations to the General Assembly with regard to the implementation of its resolution 1514 of 1960, the "Declaration on the Granting of Independence to Colonial Countries and Peoples." In 1978, the Committee of 24 consisted of Afghanistan, Australia, Bulgaria, Chile, China, Congo, Cuba, Czechoslovakia, Ethiopia, Fiji, India, Indonesia, Iran, Iraq, Ivory Coast, Mali, Sierra Leone, Sweden, Syria, Tanzania, Trinidad and Tobago, Tunisia, U.S.S.R., and Yugoslavia. The United States was a member until 1971 when we and the United Kingdom resigned in view of our basic disagreement with the manner in which the Committee was operating.

In 1978, much of the Committee of 24's attention continued to be devoted to Namibia and Southern Rhodesia, but it also paid substantial attention to other territories, including American Samoa, Guam, and the U.S. Virgin Islands. The United States participates in the Committee's deliberations on the latter territories and annually transmits information on them in accordance with article 73(e) of the Charter. During 1978 the Committee accepted a U.S. invitation to send a visiting mission to observe the constitutional referendum and local conditions in Guam. 1/

The Committee also considers conditions in the Trust Territory of the Pacific Islands and the question of the status of Puerto Rico, but the United States does not consider either to be within the jurisdiction of the Committee and does not participate in the discussion of these areas. On September 12, 1978, the Committee adopted a resolution on Puerto Rico co-sponsored by Iraq and Cuba which contained unacceptable elements, particularly with regard to its attempt to prescribe the resolution of the status issue.

The Committee of 24 also considered a number of issues related to colonialism generally, such as the activities of foreign economic and other interests seen by the Committee as impeding the process

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1 / The referendum and subsequently the mission were postponed until 1979.

of decolonization, military activities by colonial powers seen by it as impeding decolonization, and activities by specialized agencies and other UN bodies that might assist the process of decolonization.

The United States takes basic exception to a view that has come to predominate in the Committee and the General Assembly equating self-determination with independence. The U.S. view is that independence is only one possible outcome of an act of self-determination, and that the essential requirement is that the status of a territory reflect the freely expressed wishes of its people. It is noteworthy in this regard that resolution 1541, which was also adopted in 1960, enumerates three ways in which non-self-governing territories may attain self-determination. The United States also believes that the timing and manner of an act of self-determination should be determined by the people of the territory and the administering authority, not by the General Assembly, and that the question of whether military bases interfere with the right to self-determination can only be decided on a case-by-case basis, after examination of the particular circumstances of the territory in question.

Chapter XII of the Charter established an international trusteeship system, and Chapter XIII established a Trusteeship Council. The U.S.-administered Trust Territory of the Pacific Islands, which has been designated a strategic trust territory, is the sole remaining territory under the trusteeship system. In accordance with article 83 of the Charter, the Security Council is responsible for all functions of the United Nations relating to strategic areas. The Charter also provides that the Security Council shall avail itself of the assistance of the Trusteeship Council to perform those functions relating to political, economic, social, and educational matters in the strategic areas. The Trusteeship Council now consists of the United States, as administrator of a trust territory, China, France, the U.S.S.R., and the United Kingdom as permanent members of the Security Council not administering trust territories. However, China did not participate in the Council in 1978.

### TRUST TERRITORY OF THE PACIFIC ISLANDS

The Trust Territory of the Pacific Islands is composed of more than 2,000 islands with a combined land area of approximately 700 square miles. The islands are located in the western Pacific Ocean just north of the Equator, ranging from about 1° to 22° N. latitude and 130° to 172° E. longitude. They are divided into three large groups: the Marianas (with the exception of Guam) in the northwest, the Carolines to the south running from west to center, and the Marshalls in the east. The total population is estimated to be 126,000.

The islands came under Japanese administration as a result of World War I and were administered by Japan between the World Wars under a League of Nations mandate. The United States gained control of the islands as a consequence of World War II. On July 18, 1947, the United States and the UN Security Council concluded an agreement making the islands a strategic trust territory under U.S. administration; they have been administered by the U.S. Department of the Interior since July 1, 1951.



## TRUSTEESHIP COUNCIL CONSIDERATION

The Trusteeship Council held its 45th session in New York from May 15 to June 8, 1978. Pierre Garrigue-Guyonnaud of France and Sheila Harden of the United Kingdom were elected President and Vice President of the Council, respectively. Stoney Cooks of the U.S. Mission in New York served as U.S. Representative on the Council. Adrian P. Winkel, High Commissioner of the Trust Territory, and Carlos S. Camacho, Governor of the Northern Mariana Islands, served as Special Representatives. Senator Bailey Olter and Congressman Raymond Setik, representing the Congress of Micronesia, and Senator Lorenzo Guerrero, representing the Northern Mariana Islands Legislature, were special advisers to the U.S. delegation.

### Future Political Status

The opening statement to the Trusteeship Council was made for the United States by the U.S. Representative, Mr. Cooks, who stated that the past year had seen major progress in negotiations on the future political status of the Marshall and Caroline Islands and in increased self-government for the peoples of the Trust Territory. Regarding future political status, the U.S. Representative said that in October 1977 the formal status negotiations between the Micronesians and the United States were renewed at Molokai, Hawaii, after a 17-month hiatus. At a meeting of heads of delegations held in San Diego in January, the United States put forth a draft compact of free association. On the basis of the San Diego proposals, a set of eight principles, embodying a new concept for a future political relationship of free association, was signed by the heads of the three Micronesian political status commissions and the United States during meetings in Hilo, Hawaii, on April 7-9, 1978.

The U.S. Representative informed the Council that under the Hilo principles, Micronesians will be provided the maximum authority and responsibility for their own affairs consistent with the free association relationship; the political relationship will be terminable at any time; the United States will assume specific defense and security responsibilities for a fixed term; the Micronesians will have full authority over internal and non-defense-related foreign affairs, including the right to control their own marine resources; and United States economic assistance will be furnished over a fixed term at levels yet to be negotiated but not terminable by a unilateral U.S. termination of free association.

Mr. Cooks reported on the significance of the impending July 12, 1978, referendum on a draft constitution by which the peoples of Micronesia would not only express their will on the constitution and structure of government to be formed under it, but would also decide the question of political unity. He said that while the United States believes the Marshall and Caroline Islands would benefit from common links, the question of political unity is one to be decided by the Micronesians themselves. Regarding internal self-government, Mr. Cooks stated that district charters providing for elected governors had been approved for Truk, Yap, Ponape, and Kosrae. He also noted that an elected governor had been installed in the Northern Mariana Islands, and he stated that the United States looked forward to the establishment of the Commonwealth of the Northern Mariana Islands

in political union with the United States following termination of the Trusteeship Agreement.

High Commissioner Winkel reported to the Council on efforts to achieve an orderly transition to the post-Trusteeship period. He gave detailed information on recent accomplishments in administration, the economy, health, education, and capital development, noting in particular governmental reorganization and reductions as part of a decentralization program, progress under the 5-year development and capital improvement plan, clean-up and rehabilitation efforts on Eniwetok and Bikini atolls, improvements in health facilities, and the creation of the College of Micronesia.

Governor Camacho reported on the recent administrative separation of the Northern Mariana Islands from the Trust Territory government. He said that the economy of the Northern Marianas was moving; saw a local need for continued training in health, educational, and cultural activities; and hoped for continued assistance in these areas such as that provided under WHO auspices. The Governor also raised the war claims issue.

In his statement to the Council, Senator Olter criticized United States recognition of separate negotiating entities for Palau and the Marshall Islands in the political status negotiations. He stated Micronesians were willing to accommodate certain U.S. defense interests but were concerned with the U.S. position that its military interests and activities in Micronesia not be subject to a dispute settlement procedure. He reminded the Trusteeship Council that Micronesians had never agreed to a fixed termination date. He reported on the work of the Micronesian Transition Committee, and he stated that the United States had shown little interest in implementing the Committee recommendations. Senator Olter also supported extension of all development-oriented U.S. Federal programs to Micronesia, but he considered it unfortunate that Micronesians had no effective control over the type of program that reached the islands.

Congressman Setik in a lengthy and detailed statement urged the United States to accept recommendations made by a Congress of Micronesia Study Group on the issue of compensation for private lands held and used by the Trust Territory government under indefinite agreements, in particular one that the Trust Territory terminate the agreements in 1980. Mr. Setik requested that Trusteeship Council members use their good offices to convey to the Government of Japan the Micronesian view that "Japan has both a moral and legal responsibility to accord full restitution to aggrieved Micronesians." Mr. Setik described the upcoming July constitutional referendum as "a giant step forward in the process of self-determination," described the Education for Self-Government program and election procedures for conduct of the referendum, and called for direct Security Council participation in termination procedures and observation of the voting. He reported on the establishment of a 200-mile fisheries zone and Micronesian maritime authority and said that the Hilo principles seem to have laid the groundwork for resolution of questions involving marine resources. He called for direct Micronesian participation in the South Pacific Forum and the South Pacific Regional Fisheries Organization. Finally, Mr. Setik supported greater Micronesian participation in the Trust Territory budget process, deplored cuts in operational funding, and urged that the

United States give higher priority to capital improvement projects.

Senator Guerrero gave a detailed report on the progress of self-government in the Northern Mariana Islands. He requested that termination of the Trusteeship Agreement be based on principles of self-determination for all peoples of the Trust Territory. He also expressed concern about the question of war claims. He requested that the Trusteeship Council extend to the Northern Marianas certain UN economic assistance, including technical expertise and opportunities to participate in various UN programs dealing with social, economic, scientific, technical, and cultural matters.

During the examination of the Annual Report of the United States on the Trust Territory, the Trusteeship Council heard ten petitioners. It also examined 27 written communications and decided, without objection, to take note of them.

### Council Report

Among the conclusions and recommendations in its report to the Security Council, the Trusteeship Council reaffirmed the right of the people of Micronesia to self-determination, including independence; expressed its conviction that the political unity of the Caroline and Marshall Islands should if possible be maintained, while noting the expressed wish of the Palau and Marshall Islands districts for separate political status negotiations with the United States; reiterated its view that free association, if endorsed by the people of Micronesia, would not be inconsistent with the aims of the Trusteeship Agreement; noted with interest the statement of principles for free association approved at Hilo on April 9, 1978, under which any agreement reached on free association will be put to a plebiscite which the United Nations will be invited to attend; accepted with pleasure the invitation by the United States to observe the referendum on the draft convention for the Federated States of Micronesia to be held on July 12, 1978; welcomed the intention of the United States to terminate the Trusteeship Agreement by 1981; noted with satisfaction that on October 23, 1977, the United States approved the Constitution of the Commonwealth of the Northern Mariana Islands; pointed out that parts of the Covenant between the United States and the Northern Marianas took effect on January 9, 1978, when the Constitution entered into force; and noted with satisfaction that the United States still intends to terminate the Trusteeship Agreement simultaneously for the entire Trust Territory.

The Council also noted with satisfaction the adoption of U.S. Public Law 95-134 which provides compensation for the inhabitants of Bikini, Rongelap, and Utirik atolls who have been exposed to radiation, and which authorized the United States to pay 50% of the balance of war and post-war damage claims outstanding under Title I and 100% outstanding under Title II. It reiterated its concern over the imbalances in the Micronesian economy; requested that the United States do all in its power to implement the 5-year indicative development plan within the established time-limit; recommended that the United States extend to the Territory as a whole tariff advantages accorded the Northern Mariana Islands under the Commonwealth Covenant; noted with satisfaction that UNDP continues to provide technical and financial assistance through three projects; and expressed the



hope that the Territory would continue to develop its contacts with, and involvement in, regional and international bodies, with a view to receiving development assistance. The Council reaffirmed that marine resources are crucial to Micronesia's economy; it noted with satisfaction the high priority given by the United States to programs designed to promote the fishing industry and the adoption of Public Law 7-71 establishing a fisheries management and conservation zone of 200 miles surrounding the Territory. Regarding local government, the Council commended both the increase in the number of Micronesian citizens who hold senior posts in government and the overall reduction in staff at the central government headquarters, and it noted with satisfaction the approval of district charters for Truk, Ponape, Kosrae, and Yap.

As in previous years, the Security Council did not discuss the Trusteeship Council report.

#### GENERAL ASSEMBLY CONSIDERATION

The General Assembly's Committee of 24 considered the Trust Territory in three meetings between August 9 and 14, 1978, as it had in previous years. The United States maintains that the Committee's jurisdiction does not extend to the Trust Territory because the Charter provides that all UN functions relating to strategic trust territories shall be exercised by the Security Council. The United States did not, therefore, participate in the Committee's review, which was based largely on the records of the Trusteeship Council. The Committee adopted a series of conclusions and recommendations similar in substance to those put forward by the Trusteeship Council. It incorporated these in its annual report to the General Assembly on all the territories and all the issues it had considered during the year.

On December 13 the Assembly adopted by a rollcall vote of 129 to 0, with 6 (U.S.) abstentions, resolution 33/44 that approved the full report of the Committee of 24, but it neither considered nor adopted a resolution specifically on the Trust Territory.

#### U.S. TERRITORIES

##### AMERICAN SAMOA

The Committee of 24's Subcommittee on Small Territories<sup>2/</sup> considered American Samoa at three meetings between May 4 and June 9, 1978. On May 4, the U.S. Representative, John Kriendler, reviewed developments during the year since the Subcommittee had last discussed American Samoa and reported that constitutional growth and political development continued to be in the forefront. He

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<sup>2/</sup> Afghanistan, Australia, Bulgaria, Chile, Congo, Cuba, Czechoslovakia, Ethiopia, Fiji, India, Indonesia, Iran, Iraq, Ivory Coast, Mali, Sweden, Trinidad and Tobago, Yugoslavia.



stated that the Fono (legislature) of American Samoa passed the Elective Governor Act in May 1977, and that on September 13, 1977, the Secretary of Interior signed into law the Elected Governor and Lieutenant Governor for American Samoa Act, which provided for local gubernatorial elections. Following the first scheduled elections under this Act on November 8, 1977, and a run-off between the two leading vote-getters on November 22, two American Samoans, Peter T. Coleman and High Chief Tufele Li'a, were elected Governor and Lieutenant Governor, respectively. Mr. Kriendler reported these two men took office on January 3, 1978.

The U.S. Representative also informed the Subcommittee that economic recovery is now underway following the severe economic recession of 1974, and that the United States has been assisting the Government of American Samoa in diversifying the economy of the territory beyond the primary industries of fishing, canning, and tourism, thereby making it less vulnerable to reversals. He reported that through its annual budget appropriations the U.S. Congress has enabled the Government of American Samoa to extend development operations into new areas, particularly agriculture, and he outlined current efforts to improve the educational system.

In a statement on May 11, Mr. Kriendler answered several questions posed by the Ivory Coast at the first meeting. He provided employment statistics relating to the question of non-American Samoan employment in the public and private sectors. Regarding the issue of a future political status commission for American Samoa, Mr. Kriendler stated that Governor Coleman had vetoed a bill approved by the Fono to establish such a commission, because he felt the membership of the proposed commission would not have been fully representative. The U.S. Representative reported that the Fono had a new bill under consideration which would establish a commission with a broader membership.

The full Committee of 24 took up American Samoa on June 29 and adopted without objection the report of its Subcommittee. Among its conclusions and recommendations, the Committee reaffirmed the right of the people of the territory to self-determination and independence; expressed its appreciation to the United States for its cooperation in the work of the Committee; welcomed the first gubernatorial election on November 8, 1977, in which two American Samoans were elected Governor and Lieutenant Governor; noted with satisfaction the increase in fishery production, but urged the United States to continue its efforts to diversify the local economy; urged the United States, in consultation with local officials, to provide assistance to insure that American Samoans are adequately prepared to assume future political and economic assistance; and reiterated its hope that the United States would accept a UN visiting mission to obtain firsthand information on conditions in the territory and ascertain the wishes and aspirations of its people concerning their future.

#### GUAM

The Subcommittee on Small Territories of the Committee of 24 considered Guam at four meetings between May 25 and July 27. John Kriendler represented the United States at the May 25 meeting and

discussed in his opening statement the important political and constitutional developments that had taken place in Guam. Mr. Kriendler traced the development of a draft constitution for Guam, noting the election of 32 delegates on April 16, 1977, to a constitutional convention which convened in July, and the conclusion and signing of a draft constitution on December 15, 1977. He outlined the main provisions of the draft constitution, noting in particular its preamble and Bill of Rights. He informed the Subcommittee that President Carter had transmitted the draft constitution to the U.S. Congress for approval on April 28, 1978. In this regard, he announced that the United States had extended an invitation to the Special Committee to observe the constitutional referendum scheduled to take place on November 7, 1978, and to observe conditions in the territory. The referendum and subsequently the visiting mission were later postponed until 1979. When it takes place, it will be the first UN visiting mission invited by the United States to visit Guam.

Concerning economic development, the U.S. Representative stated that in the previous year Guam had begun a comeback from the economic recession of recent years and the devastation of Typhoon Pamela in 1976. Mr. Kriendler said that a major factor in the recovery was an increase in Federal expenditures in Guam, but he also noted a 15% increase in tourism and a small boom in the construction industry. Mr. Kriendler concluded that the United States recognizes that Guam continues to face serious economic problems but that the Governments of the United States and Guam are working jointly to overcome them.

In his closing statement to the Subcommittee on June 2, Mr. Kriendler said that the people of Guam and their elected leadership support the U.S. military bases in their territory, and that neither the Governor nor the Guam legislature have ever asked for the elimination of the bases. He recalled the resolution passed by the Guam legislature on December 3, 1976, in support of the military bases, and quoted pertinent parts of the resolution. Mr. Kriendler noted the commitment of the United States to fair treatment of alien labor and to equal protection of the law within the territory. He said that there are no actual or proposed restrictions on foreign ownership of land in Guam. Highlighting the importance of the constitutional referendum, Mr. Kriendler told the Subcommittee that it is not the intention of the United States to restrict the length of stay of the visiting mission, which can itself determine how much time it needs to observe conditions in the territory.

During this meeting, Mr. Kriendler also responded to statements and questions by India, Czechoslovakia, Bulgaria, and Iraq. He reiterated that Guam is an unincorporated territory of the United States, and that the draft constitution would not change that relationship. Citing the results of the 1976 status referendum, he said that the draft constitution was fully in keeping with the views of the overwhelming majority of those voting in that referendum. He reiterated the U.S. view that independence is only one possible outcome of an act of self-determination, and that the status of a territory should accord with the freely expressed wishes of the population. He also stated that the local development of a draft constitution was the most dramatic refutation of allegations that a U.S. military presence inhibits self-determination.

On June 29, the full Committee accepted the U.S. invitation to send a visiting mission to observe the constitutional referendum and conditions on Guam. At the same meeting, the Subcommittee introduced its report and recommendations to the full Committee, which adopted them on August 10. Among its recommendations and conclusions, the Committee reaffirmed the right of the people of Guam to self-determination and independence; expressed its appreciation for the cooperation of the United States and welcomed the invitation to send a visiting mission to Guam; requested the United States to insure that the people of Guam are kept fully informed of all options open to them in conformity with resolution 1514 (XV) (on colonialism); and reaffirmed its strong conviction that the presence of military bases in Guam should not prevent the people of the territory from exercising their inalienable right to self-determination and independence. This last conclusion was accepted by a consensus after prolonged efforts to reach a satisfactory compromise.

### U.S. VIRGIN ISLANDS

The Subcommittee on Small Territories considered the U.S. Virgin Islands at three meetings between June 16 and July 5, 1978. The U.S. Representative, John Kriendler, reported to the Subcommittee on June 16 that the people of the U.S. Virgin Islands had elected 60 delegates to draft a new constitution on September 24, 1977, and that the constitutional convention had completed its work on April 20, 1978. Mr. Kriendler quoted the preamble and outlined major provisions of the draft constitution to the Subcommittee. He observed that, once approved by the U.S. Congress, the draft constitution would be submitted to the voters of the U.S. Virgin Islands for ratification. Mr. Kriendler informed the Subcommittee that the economic situation in the U.S. Virgin Islands continued to improve during the past year, and he pointed out that there was major progress in the tourist industry, a key sector of the economy. He also described proposed measures designed to bring improvement in the fields of health and education.

In his closing statement on June 23, the U.S. Representative responded to several questions from the Subcommittee. He described the U.S. Virgin Islands participation in regional activities and discussed the extent of public participation and interest in the activities of the constitutional convention.

On August 10 the Committee adopted a consensus decision which reaffirmed the right of the people of the U.S. Virgin Islands to self-determination; noted the increased cooperation of the United States through its participation in the work of the Committee and willingness to receive visiting missions; and, while noting the recent political and constitutional developments in the Virgin Islands, in particular the convention to draft a constitution for the Virgin Islands, welcomed assurances that the United States will continue to respect the freely expressed wishes of the people.

### GENERAL ASSEMBLY ACTION

American Samoa, Guam, the U.S. Virgin Islands, and a number of other small territories were considered by the 33rd General



Assembly's Fourth Committee from November 16 to December 5 under the agenda item, "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples." On November 27, the U.S. Representative, Betty Jane Jones, made a comprehensive statement regarding political developments in each of the U.S. territories. She informed the Committee that President Carter had signed into law on October 31 a measure providing for a non-voting delegate from American Samoa in the U.S. House of Representatives, and that through local legislation in American Samoa last April a future political status commission had been created to study forms of future political status open to American Samoa. Regarding Guam, she outlined the history of the draft constitution and advised that the popular referendum would be postponed from November 7, 1978, to June 2, 1979, in response to popular feeling developed at public hearings conducted by the Guam legislature that a greater educational effort was necessary to familiarize the voters with the provisions of the constitution. She also stated that the draft constitution for the U.S. Virgin Islands had been approved by the U.S. Congress in accordance with legislative procedures and would be put to a referendum at a future date.

Draft resolutions on the three U.S. territories were approved in the Fourth Committee on December 5. The Soviet Union and China expressed reservations on the operative paragraph in the Guam resolution dealing with military bases, on the grounds that their governments opposed the presence of military bases in small territories.

The resolutions on American Samoa, 33/32, Guam, 33/33, and the U.S. Virgin Islands, 33/34 were adopted by the General Assembly without objection on December 13. They were noncontroversial, and the United States was able to participate in consensus approval. These resolutions, *inter alia*, approved the relevant chapters of the report of the Committee of 24 and otherwise were similar in substance to those adopted by the Committee of 24.

## NAMIBIA

### SECURITY COUNCIL

Unlike last year, 1977, the Security Council dealt extensively with the question of Namibia, holding three series of meetings during the course of 1978. Two draft resolutions were considered by the Security Council on July 27th and adopted the same day.

The first, resolution 431(1978), requested the Secretary General to appoint a Special Representative for Namibia to insure the earliest possible convening of UN-supervised free elections as a means of securing an early independence of Namibia. This resolution passed the Security Council by a vote of 13 (U.S.) to 0, with 2 abstentions (Czechoslovakia, U.S.S.R.).

The second, resolution 432(1978), contained a Security Council decision to fully support all steps necessary to insure the early reintegration of Walvis Bay into Namibia as a result of negotiations between South Africa and an independent Namibia. This resolution



passed the Security Council unanimously.

Both resolutions were products of more than 1 year of negotiation and informal discussion between the Western members of the Security Council, the Front-Line African States, the Government of South Africa, and the South West Africa People's Organization (SWAPO). The negotiations led to a Western settlement proposal for Namibia which was accepted by South Africa in April 1978, and by SWAPO in July. This proposal was circulated by the five Western members of the Security Council to the Council on April 10. The proposal provided for the repeal of all discriminatory laws and regulations, the release of Namibian political prisoners, the return of all Namibian exiles to participate peacefully in the political process, the phased withdrawal of South African forces in the territory, and the restriction to base, under UN monitoring, of both South African and SWAPO troops. A UN civilian and military presence would supervise these activities and, in cooperation with the South African Administrator General and to the satisfaction of the Secretary General's Special Representative heading the UN operation, insure a free and fair election leading directly to independence.

Secretary of State Cyrus Vance, in his remarks to the Security Council after the vote, said:

"The successful resolution of this international issue can encourage solutions for other pressing problems of Africa, particularly in the case of Rhodesia. There, the same spirit of goodwill and compromise exhibited by the parties in Namibia could create a basis for a peaceful settlement."

The Security Council met again on September 29 and again on the 30th to discuss the situation in Namibia. Specifically, these two sessions addressed the issue of South Africa's own sponsorship of internal elections within the UN-mandated territory of Namibia. A draft resolution was brought before the Council on September 28 by Canada, France, Gabon, the Federal Republic of Germany, Mauritius, Nigeria, the United Kingdom, and the United States.

In adopting the draft by a vote of 12 (U.S.) to 0, with 2 abstentions (Czechoslovakia, U.S.S.R.), as resolution 435, the Council established under its own authority a United Nations Transition Assistance Group (UNTAG) for a period of 12 months to assist the Secretary General's Special Representative to insure the early independence of Namibia through free and fair elections held under the supervision of the United Nations; and also declared all unilateral measures taken by South Africa in Namibia in relation to the electoral process to be null and void.

Secretary Vance expressed this country's unreserved support of the Secretary General's Report on which the above resolution was based. Furthermore, Secretary Vance said:

"South Africa must recognize that the international community is committed to seeing that the program contained in the Secretary General's Report is implemented.

"Unilateral action by South Africa, such as its decision to conduct elections in Namibia, cannot be recognized and will not result in a political process which has any international legitimacy. . . . We intend to continue our efforts to persuade South Africa to cooperate with the United Nations. . . . From SWAPO and from other Namibian political parties we look for continued cooperation and fidelity to the proposal which the Secretary General's Report implements. We call on South Africa to rethink its position."

A third series of five meetings dealing with the situation in Namibia was held between October 31 and November 13. The meetings stemmed from South Africa's decision to go ahead with internal elections in Namibia, outside the framework of the settlement proposal. Gabon, Kuwait, India, and Nigeria all sponsored a draft resolution which condemned the South African Government for proceeding unilaterally with the proposed Namibian elections from December 4 to 8; called upon the South African Government to cancel those elections; declared the elections and their results null and void; and warned South Africa that its failure to cooperate with the Security Council in the implementation of its resolutions would compel the Council to meet forthwith to initiate appropriate action under the UN Charter, including Chapter VII thereof. This passed the Security Council with a vote of 10 to 0, with 5 abstentions (U.S.), and was adopted as resolution 439(78).

Speaking on behalf of the Western Five in explanation of vote, Canadian Ambassador Barton stressed that the Five do not accept the validity of the unilateral elections in Namibia, would consider them null and void, and would not accord any recognition to their outcome. He went on to say that:

"We have abstained on this resolution because we believe that our efforts should be directed to obtaining and supporting the efforts of the Secretary General to secure their [South Africa's] cooperation rather than to prejudging the possible outcome. However, it would be a mistake to interpret our abstention as a lack of sympathy for the resolution or the direction in which it points the Council in the event South Africa fails to cooperate in the implementation of resolution 435."

#### GENERAL ASSEMBLY

In 1978 the question of Namibia was considered by the General Assembly twice. Resolution 32/9 of November 4, 1977, called for a special session of the General Assembly which would devote itself to the question of Namibia. The 9th Special Session was held between April 24 and May 3. The item was again considered at the 33rd General Assembly at plenary meetings between December 7 and 21.

Prior to the special session of the General Assembly in April,

the United Nations Council for Namibia <sup>3</sup>/met in Lusaka from March 20 to 25 as directed by the provisions of resolution 32/9 F and in implementation of its responsibilities as the legal Administering Authority for Namibia. On March 25, the Council adopted the "Lusaka Declaration." The Declaration included an expression of full support of the Council for the armed struggle of the Namibian people under the leadership of its "sole and authentic representative," SWAPO. It also reiterated the position that South Africa's illegal occupation of Namibia constituted an act of aggression against the Namibian people and against the United Nations, and pointed out that, "It is imperative that any negotiated settlement be arrived at with the agreement of SWAPO and within the framework of the United Nations."

On April 24 the first meeting of the 9th special session of the General Assembly was convened. Ambassador Gwendolyn Konie (Zambia), President of the UN Council for Namibia, was elected Chairman of the Ad Hoc Committee created to review the "Draft Declaration and Program of Action in Support of Self-Determination and National Independence for Namibia" submitted by the Council. This Ad Hoc Committee was made up of states attending the special session who desired to take part in the review of the working paper. The declaration and program followed many of the recommendations formulated by the UN Council for Namibia in March, and could be looked upon as essentially a restatement of the Lusaka Declaration.

Much of the work of the first few days centered around public debate in the plenary sessions and detailed work with the Declaration and Program by the Ad Hoc Committee. The Ad Hoc Committee approved the draft Declaration and Program of Action on May 2 by a rollcall vote of 88 to 0, with 18 abstentions (including the Western Five).

The General Assembly adopted resolution S-9/2 on May 3 by a vote of 119 to 0, with 21 abstentions (again including the Western Five). The United States and other members of the Western Five had abstained in the votes in the Ad Hoc Committee and the plenary on the grounds that intimate Western involvement in the Namibian negotiations mandated a neutral position.

On May 2, Ambassador McHenry, speaking before the Assembly in plenary session in relation to the proposal of the Western Five which they proposed to submit to the Security Council, said the Five Governments did not seek action by the Assembly on the proposal. They did, however, welcome the opportunity to allay concerns expressed about some of its provisions. He went on to say that there are inherent risks to any practical path to agreement, but that the Five had "attempted to retain a balanced approach to all aspects of the problem," and that they desired "settlement within the agreed terms of Security Council resolution 385." He concluded by reaffirming the U.S. goal to an internationally acceptable settlement of the question and advised that such an undertaking is a major objective of the U.S. Government.

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<sup>3</sup>/ The members in 1978 were Algeria, Australia, Bangladesh, Botswana, Burundi, Chile, China, Colombia, Egypt, Finland, Guyana, Haiti, India, Indonesia, Liberia, Mexico, Nicaragua, Pakistan, Poland, Romania, Senegal, Turkey, U.S.S.R., Yugoslavia, and Zambia.



On December 8 at the 33rd General Assembly, Mexico introduced three resolutions relating to Namibia. The Ambassador from Canada, Mr. Barton, speaking on behalf of the Western Five, said that these five delegations would abstain in the vote on the three draft resolutions since the initiative undertaken by their governments to bring about internationally recognized independence for Namibia was then at a crucial stage and they did not want it complicated by taking substantive positions on the drafts.

The first draft entitled "Situation in Namibia resulting from the illegal occupation of the Territory of South Africa" was sponsored by 52 nations. It was adopted as resolution 33/182 A by a rollcall vote of 120 to 0, with 19 abstentions. Among other things, it (1) reaffirmed the mandate given to the UN Council for Namibia as the legal administering authority for Namibia until independence; (2) condemned activities of transnationals in the territory and demanded their withdrawal; (3) condemned the South African decision to impose in Namibia a so-called international settlement; (4) recommended that the Security Council convene to take effective measures, including sanctions provided for under Chapter VII of the Charter; (5) decided to reconvene the 33rd session to consider fully the Namibian question and implications of South Africa's continued defiance of Assembly and Security Council resolutions; and (6) decided to expand the UN Council for Namibia by the addition of up to six members on the basis of consultations by the President of the General Assembly with the regional groups.

The second draft resolution, entitled "Refusal of South Africa to Comply with United Nations Resolutions on Namibia" and eventually sponsored by 50 states, was adopted by a rollcall vote of 123 to 0, with 17 abstentions (U.S.). (Resolution 33/182 B.) The resolution, inter alia, (1) condemned South Africa for holding unilateral elections, and declared the results of such elections null and void; (2) demanded the immediate release of the recently detained SWAPO leaders; (3) declared that South Africa's non-compliance with the resolutions of the Security Council constituted a serious threat to international peace and security and necessitated the imposition of Chapter VII sanctions; (4) requested the Security Council to urgently consider further action under the Charter, including Chapter VII, to secure South Africa's compliance; and (5) decided, if the Security Council should be unable to act effectively, to consider the situation further and to take all necessary measures in conformity with its relevant resolutions and the Charter for the purpose of dealing with this threat to international peace and security.

The third draft resolution, eventually sponsored by 52 states, was entitled "Program of Work of the United Nations Council for Namibia." The draft resolution was adopted by a rollcall vote of 136 to 0, with 5 abstentions and became resolution 33/182 C. Among other things, it (1) described specific responsibilities of the United Nations Council for Namibia in commission of its mandate as the legal administering authority for Namibia; (2) decided to increase the financial provision in the budget of the Council to finance the office of SWAPO in New York in order to insure appropriate representation of Namibian people through SWAPO at the United Nations; (3) revised present guidelines of the UN Fund for Namibia and allocated \$50,000 as a temporary measure to the Fund from the regular UN budget for 1979; and (4) decided to include the Rapporteur of the



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Committee of the UN Fund for Namibia and a representative of UNDP in the Senate of the Institute for Namibia as full members.

## SOUTHERN RHODESIA

### SECURITY COUNCIL

The Security Council during 1978 devoted three series of meetings to the question of Southern Rhodesia, as the pace of events occurring there began to increase. In Salisbury on March 3, it was announced that an internal agreement had been reached between Ian Smith and certain nationalist leaders. The March 3 agreement could be characterized as a positive step, but it offered no clearly irreversible transfer of power to majority rule, no clear end to discrimination, no international guarantees of free choice, no realistic prospect for ending hostilities--nor did it obtain the support of the United Nations as had the plan outlined in the Anglo-American proposals developed the year before.

The first series of meetings regarding Southern Rhodesia in the Security Council was held March 6-14 following the announcement of the internal settlement. After 6 days of discussion, a draft resolution was introduced by Mauritius, sponsored by seven states. The Security Council adopted this resolution on March 14 by a vote of 10 to 0, with 5 abstentions (Canada, France, Federal Republic of Germany, U.K., and U.S.). (Resolution 423(1978).) The resolution's significance lay in the fact that it declared illegal and unacceptable any internal settlement under the auspices of the Southern Rhodesian regime. Based on their intimate involvement in the effort to achieve a negotiated solution in Namibia, the United States and United Kingdom felt it best to abstain. Moreover, although the United States felt that the March 3 agreement was deficient in many important respects, it did not wish to judge the results of the agreement in advance. Also included in the resolution was the identification of the first prerequisite for the restoration of a legal and free Southern Rhodesia--the speedy termination of the Smith regime and the replacement of its military and police forces.

Speaking before the vote on March 14, Ambassador Young restated the U.S. position as based on the Anglo-American proposals which held the following goals:

"First, the initiation of an irreversible process leading to majority rule in an independent Zimbabwe; the creation of a neutral political process which would allow all political factions in Zimbabwe to compete fairly for political leadership through elections which truly reflect the will of the majority; an end to hostilities, followed by the maintenance of stability, law and order during the transition period, to ensure the fairness of the process and thus its durability; agreement on an independence constitution that provides for a democratically elected government, the abolition of discrimination and the protection of individual human rights, including the rights of members of the minority as well as of the majority."

Mr. Young then went on to compare the Salisbury internal agreement to the Anglo-American plan. In particular, he made the following points:

"First and foremost, the Anglo-American plan is based on the principle of participation by all factions. . . . Secondly, the Anglo-American proposals recognize that transitional political institutions must not be subject to control by the existing illegal regime or any one of the parties to the conflict. . . . Thirdly, free and fair elections must be ensured in which all elements of the population and all Rhodesian political factions would participate equally. . . . Fourthly, in order to ensure the fairness and irreversibility of a transition process, it is essential to maintain law and order in Zimbabwe. . . . [and] Fifthly, provision must be made in Rhodesia for a constitutional system which protects the rights of all. . . .

. . . . .

"Our goal would be to build on what has gone before, to produce a just and lasting settlement for Zimbabwe, whose people would at last know the blessings of independence, freedom and peace."

The second series of meetings was held March 15-17 and dealt explicitly with a complaint by Zambia regarding a series of Southern Rhodesian armed attacks within Zambia between March 6 and 8. On March 16, the Security Council unanimously adopted a resolution condemning the illegal regime in Southern Rhodesia for its armed invasion of Zambia. (Resolution 424(1978).)

In a statement before the Council on March 17, Ambassador McHenry said:

". . . The danger that the Smith regime poses for the neighboring African states and for peace in southern Africa can be removed only by the replacement of the illegal regime by an independent State of Zimbabwe established on the basis of free and fair elections and genuine majority rule. This is the goal which the United States Government and the Government of the United Kingdom, with the cooperation of the Front-Line States, have been actively working for during the past year."

The Security Council's final meeting on Southern Rhodesia during 1978, October 10, centered on the U.S. decision to grant Ian Smith a visa. The Council adopted by a vote of 11 to 0, with 4 abstentions (Canada, Federal Republic of Germany, U.K., and U.S.), a resolution which noted with regret and concern the U.S. Government's decision to allow Smith to enter the United States, and called upon the United States to continue to exert its influence to achieve genuine majority rule in Southern Rhodesia. (Resolution 437(1978).) The abstention by the United States on this resolution stemmed from the belief that Ian Smith's visit was an integral part of its endeavor to bring about an all-parties meeting, leading to majority rule in Zimbabwe, fully in keeping with the spirit and ultimate goal of the United Nations.



GENERAL ASSEMBLY

The Committee of 24 ended 4 days of discussion of the Rhodesian question on August 10 by adopting two resolutions--one general and one relating specifically to sanctions.

The significant parts of the first resolution were those which (1) condemned the so-called internal settlement of March 3, 1978, as aimed at the retention of power by a racist minority; (2) called on all states to regard as illegal and unacceptable any settlement under the auspices of the illegal regime--specifically the Salisbury settlement; and (3) called for the disbanding of Salisbury's military and police forces as the first prerequisite for the restoration of a legal government in Zimbabwe.

The Committee's second resolution repeated the Committee's 1977 call for the extension of sanctions against Rhodesia to include all measures under article 41 of the Charter. It called for "effective measures" against those still supplying oil to Rhodesia and suggested an oil embargo on South Africa.

Both resolutions were adopted and forwarded for consideration by the General Assembly at its 33rd session. The Fourth Committee discussed the item at 12 meetings between October 30 and November 22. Major elements of the Fourth Committee consideration included (1) condemnation of the March 3 internal settlement; (2) condemnation of Western economic interests which supported the Smith government; (3) calls for the expansion of UN sanctions against Rhodesia to include all possible measures under Chapter VII of the UN Charter; and (4) calls for the imposition of sanctions against South Africa for non-compliance with the UN sanctions against Southern Rhodesia.

The U.S. Representative, John Hechinger, stressed the U.S. commitment to majority rule in keeping with the principles set forth in the Anglo-American plan; assured the Committee that the United States had no intention of recognizing the illegal Smith regime, or of lifting sanctions against it; and reaffirmed the U.S. negotiating goals that had previously been stated in the Security Council.

Both parts of the resolution submitted to the Fourth Committee by the Committee of 24 were approved by the Fourth Committee on November 17 by recorded votes of 124 to 0, with 10 abstentions (U.S.), and 120 to 0, with 13 abstentions (U.S.) respectively. It was adopted by the Assembly in plenary session on December 13, 1978, part A by a vote of 130 to 0, with 11 abstentions (U.S.), and part B by 124 to 0, with 15 abstentions (U.S.). (Resolution 33/38.)

The United States abstained because, although it did not recognize the internal settlement, it felt that to support the strong condemnation contained in the resolution would impair its ability to deal with the Smith regime and the internal nationalists in continued efforts toward a negotiated, internationally accepted solution to the problem. Further, the degree of recognition accorded the Patriotic Front would compromise the neutral position of the United States and impair its role as a negotiator. With respect to part B of the resolution, the United States was unable to



agree to certain actions under article 41 of the UN Charter which could violate U.S. constitutional guarantees.

### EAST TIMOR

The situation in East Timor was considered by both the Security Council and General Assembly in 1975 and 1976, but by the latter only in 1977 and 1978.

### BACKGROUND

The island of Timor lies between latitudes 8°17' S. and 10°22' S. and longitudes 123°25' E. and 127°19' E., athwart the Banda and Timor Seas, toward the eastern extremity of the archipelago which comprises the Republic of Indonesia.

The western half of the island (Timor Barat), which had been under Dutch colonial rule, became part of Indonesia with the establishment of the Republic in 1949. The eastern half (Timor Timur) had been under Portuguese rule for centuries, more recently as an "over-seas province." In addition to the eastern insular sector, the area administered by Portugal consisted of the enclave of Oecusse Ambeno in the west, the island of Ataúro off the northern coast, and the small island of Jacó off the eastern tip, with a total land area of 14,925 square kilometers. In mid-1974, the population was estimated at 658,000.

A new Portuguese Government announced a policy of decolonization in 1974, and began discussions with newly formed Timorese political parties concerning the establishment of independence.

In mid-1975, however, armed conflict broke out between the party 4/which advocated complete independence and four others 5/which favored integration with Indonesia. In November 1975, FRETILIN declared the independence of the territory and the establishment of the "Democratic Republic of East Timor," while the other four parties proclaimed independence and the integration of East Timor into Indonesia. In December Indonesian troops intervened to assist the four pro-Indonesian parties against the FRETILIN, and a "Provisional Government of East Timor" was established by the four, which in May 1976 held elections to a "People's Assembly of East Timor." The Assembly formally requested integration of the territory into the Republic of Indonesia, and on July 17, 1976, an act of the Indonesian Parliament established East Timor as the 27th province of Indonesia.

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4/ FRETILIN - Frente Revolucionária de Timor Leste Independente.

5/ APODETI - Associação Popular Democrática de Timor; UDT - União Democrática Timorense; KOTA - Kilbur Oan Timor Aswain; and Partido Trabalhista.

## GENERAL ASSEMBLY CONSIDERATION

The Fourth Committee of the 33rd General Assembly considered the "Question of East Timor," together with other colonial issues at 13 meetings between November 16 and December 5. On November 30 Algeria introduced a draft resolution that was ultimately sponsored by 13 states.

In its operative paragraphs, the draft: (1) reaffirmed the right of the people of East Timor to self-determination and independence, and the legitimacy of their struggle to achieve that right; (2) reaffirmed previous General Assembly and Security Council resolutions on East Timor; (3) requested the dispatch of a visiting mission from the Committee of 24 to visit East Timor and report to the 34th General Assembly; (4) drew the attention of the Security Council to the "critical situation" in East Timor and recommended that it implement its resolutions 384(1975) and 389(1976), "with a view to securing the full exercise by the people of East Timor of their right to self-determination and independence"; and (5) decided to include in the agenda for the 34th General Assembly an item entitled "Question of East Timor."

The resolution was approved by a recorded vote of 55 to 29 (U.S.), with 42 abstentions on December 5, and subsequently adopted by the General Assembly in plenary session on December 13 by a recorded vote of 59 to 31 (U.S.), with 44 abstentions. (Resolution 33/39.)

The United States did not speak during the debate, and did not make a voting statement.

## OTHER QUESTIONS

### OTHER TERRITORIES

Under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and People," the Fourth Committee at 12 meetings between November 16 and December 5 considered and approved draft resolutions or consensus on 15 territories.

The resolutions concerning American Samoa (resolution 33/32), Guam (resolution 33/33), and the U.S. Virgin Islands (resolution 33/34) are discussed in an earlier section of this report. (See pp 212 and 215).

Resolutions concerning New Hebrides (resolution 33/30), and Bermuda, British Virgin Islands, Montserrat, Turks and Caicos Islands, and Cayman Islands (resolution 33/35) were adopted without vote in plenary session on December 13, as they had been approved previously in Committee.

The consensus were on Gibraltar, Tokelau, St. Helena, and the Cocos (Keeling) Islands. All were similar to those adopted in previous years. The Committee decided to defer until the 34th General Assembly consideration of Brunei; Pitcairn, the Falkland Islands (Malvinas), and Gilbert Islands; and Antigua, St. Kitts-Nevis-Anguilla, St. Lucia, and St. Vincent.

The other territories discussed were Western Sahara and Belize, and lively debate ensued on the subject of each of these areas.

### Western Sahara

In the case of Western Sahara, the current problem dates back to 1976 when Spain transferred administrative control of the territory to Morocco and Mauritania. These countries were immediately challenged by POLISARIO guerrillas who have demanded independence for the Western Sahara and who are supported by Algeria. The Organization of African Unity (OAU) decided at its July 1978 Summit that the OAU President should name a committee to study the problem. The Fourth Committee engaged in debate on Western Sahara from November 21 to December 5. On November 21 a resolution, ultimately sponsored by 32 states, was circulated which, *inter alia*, (1) reaffirmed the inalienable right of the people of Western Sahara to self-determination and independence; (2) reaffirmed the responsibility of the United Nations with regard to the territory; (3) asked the OAU Administrative Secretary General to keep the Secretary General informed of progress accomplished on OAU decisions relative to Western Sahara; and (4) invited the Secretary General to submit a report on Western Sahara at the 34th General Assembly. A competing resolution, co-sponsored by Egypt and nine other states and later joined by Mauritania and Morocco, appealed to all states in the region to refrain from any action that might impede the efforts of the OAU to arrive at a just and peaceful solution. It requested the OAU Administrative Secretary General to inform the Secretary General of the results achieved by the OAU Ad Hoc Committee of Heads of State and invited the Secretary General to report on them.

With members of the African and Non-Aligned groups sharply divided among themselves, the Fourth Committee was unable to reach a compromise on these two draft resolutions, both of which were finally approved by rollcall votes on December 5. The first, the Algerian-backed resolution, was approved by a vote of 86 (Algeria) to 11 (Mauritania, Morocco), with 39 abstentions (U.S.). The second, the Egyptian resolution, was approved by 61 (Mauritania, Morocco, U.S.) to 25 (Algeria), with 45 abstentions. Each resolution was adopted by the General Assembly by recorded votes of 90 (Algeria) to 10 (Mauritania, Morocco), with 39 abstentions, and on the Egyptian resolution, a vote of 66 (Mauritania, Morocco, U.S.), to 30 (Algeria), with 40 abstentions. (Resolutions 33/31 A and B.)

### Belize

Voting was necessary on the Belize resolution because of the sharp difference of views between the United Kingdom and Guatemala, which has territorial claims on Belize, as to the appropriate outcome of the decolonization process. On December 5 the Fourth Committee, by a rollcall vote of 116 (U.K.) to 5 (Guatemala), with 12 abstentions (U.S.), approved a draft resolution sponsored by 45 states including the United Kingdom. This resolution, *inter alia*, reaffirmed that the inviolability and territorial integrity of Belize must be preserved, and it called on all parties to refrain from any threats or use of force against the people of Belize or their territory. A Guatemalan resolution co-sponsored by nine other countries was



defeated that day by a vote of 15 (Guatemala) to 82 (U.K.), with 33 abstentions (U.S.). The United Kingdom-backed resolution was adopted by the General Assembly by a recorded vote of 127 (U.K.) to 1 (Guatemala) with 12 abstentions (U.S.).

With the exception of the Egyptian resolution on Western Sahara, each of the resolutions adopted by the General Assembly approved the relevant chapter of the Committee of 24 report; reaffirmed the right of the people of the territory to self-determination and independence; and requested the Committee of 24 to keep the situation under review and report to the General Assembly at its 34th session. Most of the resolutions and consensus decisions including those on the U.S. territories also reaffirmed that questions of territorial size, geographical location, and limited resources should in no way delay the implementation of A/RES/1514(XV) with regard to the territory concerned; called for a strengthening of diversification of the local economy; urged that steps be taken to insure that the local people have the full right to control their natural resources; requested that the assistance of specialized agencies within the UN system be utilized in the territory; and urged that the possibility of a visiting mission to the territory be considered.

### Puerto Rico

The General Assembly removed Puerto Rico from the list of non-self-governing territories in 1953, 1 year after Puerto Rico adopted its current Commonwealth form of government. (A/RES/748(VIII)). However, in recent years, in spite of strong U.S. objections that it has no authority to do so, the Committee of 24 at the instigation of Cuba has held hearings on Puerto Rico under the agenda item "List of Territories to Which the Declaration on the Granting of Independence to Colonial Countries and Peoples is Applicable." The United States does not participate in consideration of Puerto Rico by the Committee on the grounds that such consideration is outside the Committee's jurisdiction and constitutes interference in the internal affairs of the United States.

The Committee of 24 held nine meetings between August 28 and September 12 to consider the question of Puerto Rico. It heard a total of 33 individuals or representatives of organizations, including for the first time representatives of all four major Puerto Rican political parties. Among those who testified were Puerto Rican Governor Carlos Romero Barceló (of the New Progressive Party, or NPP), Miguel Hernández Agosto of the Puerto Rican Democratic Party (PDP), Rubén Berrios Martínez of the Puerto Rican Independence Party (PIP), Juan Mari Brás of the Puerto Rican Socialist Party (PSP), ex-Governor Rafael Hernández Colon, Miami Mayor Maurice A. Ferré, and U.S. Congressman Ronald V. Dellums.

On September 12, after lengthy and sometimes heated deliberations, the Committee adopted a resolution sponsored by Cuba and Iraq which, among other things, reaffirmed the inalienable right of the people of Puerto Rico to self-determination and independence; affirmed that self-determination should be exercised through mechanisms freely selected by the Puerto Rican people after a complete transfer of powers by the United States to the Puerto Rican people; considered that the persecutions, harassments, and repressive measures to which



the organizations and persons struggling for independence have been continuously subjected constitute violations of the national rights to self-determination and independence; urged the United States to release unconditionally four incarcerated Puerto Rican political personalities; and decided to consider the question of Puerto Rico again in 1979. The resolution also noted in the preamble two important documents: President Carter's July 25 Proclamation to the people of Puerto Rico which reaffirmed his support and intention to urge Congress to support whatever status--statehood, independence, Commonwealth status, or mutually-agreed modifications in that status--the people of Puerto Rico might freely choose, and Ambassador Young's statement of August 28 that the United States would do nothing to stand in the way of a decision by the Puerto Rican people to extend an invitation to the United Nations to observe a status referendum. The Iraqi/Cuban resolution was adopted on September 12 by a vote of 10 to 0, with 12 abstentions.

### General Assembly Consideration

In recent years the question of Puerto Rico had not been raised outside the Committee of 24. However, on November 21 the Cuban representative circulated to Fourth Committee members a letter from Juan Mari-Brás of the PSP requesting a hearing in the Committee. In subsequent debate, the U.S. Representative, Ambassador Richard W. Petree, stated on November 22 that it was highly inappropriate for the Fourth Committee to even consider the question of whether to hear a petitioner on the subject of Puerto Rico, since this topic was not an item on the General Assembly's agenda (the Assembly alone determining subjects to be considered by each Committee). On November 24 there developed a procedural debate during which the UN Legal Advisor, Eric Suy, advised the Fourth Committee that it was not within the Committee's competence to take up the question of Puerto Rico without the express authorization of the General Assembly. On November 27 the Fourth Committee Chairman Dolguchits (Byelorussian S.S.R.) forwarded a copy of the letter to General Assembly President Lievano for such action as he deemed appropriate. On December 13 the plenary finished its consideration of decolonization items without Cuba pressing a vote on whether Mari-Brás would be authorized to testify before the Committee. In announcing to the plenary that his delegation would only circulate a summary of the statement Mari-Brás planned to make before the Fourth Committee, the Cuban Representative made a lengthy and vituperative statement on Puerto Rico. In right of reply to this speech, U.S. Representative Angelique Stahl corrected some of the distortions of fact about Puerto Rico and chided the Cuban Representative for vulgar and insulting references to the freely elected leaders of Puerto Rico.

### GENERAL RESOLUTIONS ON COLONIALISM

As in previous years, the General Assembly also adopted, under several different agenda items, a number of resolutions on different aspects of colonialism and racial discrimination.

#### FOURTH COMMITTEE RESOLUTIONS

At 11 meetings between October 16 and November 6, the Fourth Committee considered the agenda item "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern Rhodesia and Namibia and in all other territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa." On November 3 the Committee approved a resolution sponsored by 32 non-aligned and Eastern European countries which was identical to resolution 32/35 adopted in 1977 with the addition of several operative paragraphs which, *inter alia*, condemned the supply of petroleum and petroleum products to Southern Rhodesia by United Kingdom oil companies, thereby circumventing United Nations sanctions and strengthening the illegal regime of Ian Smith.

The draft was approved by a rollcall vote of 87 to 16 (U.S.), with 28 abstentions, and subsequently adopted as resolution 33/40 by the General Assembly in plenary session on December 13 by a recorded vote of 83 to 14 (U.S.), with 34 abstentions.

Speaking before the vote in the Fourth Committee, the U.S. Representative, Ms. Mowle, said that her delegation had fully supported the goals of the resolution on foreign economic interests adopted by the Special Committee of 24. However, the draft resolution now before the Fourth Committee went beyond that resolution. It expressly condemned the United States and other countries for political, diplomatic, military, and economic cooperation with South Africa. It was a fact that many nations still maintained trade and other relations with South Africa. She drew attention, however, to the 1977 edition of the African Abstract of Trade Statistics, published by the Government of South Africa, which showed that countries of Eastern Europe also traded with South Africa. There was therefore no reason why the United States and other Western nations should be singled out for criticism.

The United States did not discount the imperfections of the present economic system and recognized that some Western economic interests had been guilty of impeding the process of decolonization. However, it also believed that there were many more such interests which had contributed to that process, and it therefore hesitated to discount the very real benefits which economic interests could provide in an era of truly global interdependence. The United States was prepared to work with other members of the world community to shape those economic interests in ways which would enhance their beneficial impact and correct any deficiencies.

Under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations," the Fourth Committee approved a draft resolution introduced by Bulgaria and sponsored by 48 states. The resolution, *inter alia*, (1) reaffirmed that organizations within the United Nations should extend "all the necessary moral and material assistance" to the peoples of the colonial territories and their national liberation movements; (2) expressed concern that assistance to date, particularly to Zimbabwe and Namibia, was far

from adequate; (3) regretted that the World Bank and the International Monetary Fund had not yet taken "the necessary measures toward the full and speedy implementation" of the decolonization resolutions and deplored in particular that they continued to cooperate with South Africa; and (4) requested the specialized agencies and other organizations within the UN system to render "all possible moral and material assistance" to the colonial peoples in Africa struggling for their liberation from colonial rule.

The draft was approved in the Fourth Committee on December 5 by a recorded vote of 124 to 0, with 8 abstentions (U.S.), and adopted by the Assembly on December 15 by a rollcall vote of 133 to 0, with 8 abstentions (U.S.). (Resolution 33/41.)

In an explanation of vote in the Fourth Committee, the U.S. Representative, John Graham, stated that increased politicization of the specialized agencies was undermining their effectiveness in performing the technical and humanitarian functions for which they were established. He said that the assistance of those agencies should be offered to the people of southern Africa, not the liberation movements.

As in previous years, the United States supported two resolutions concerning education and training for indigenous inhabitants of non-self-governing territories. Both were adopted without objection in Committee and in plenary. The first resolution, introduced by Canada and sponsored by 53 states (including the United States), appealed to all states, organizations, and individuals to make generous contributions to the UN Educational and Training Program for Southern Africa. The Fourth Committee approved it on December 5, and the Assembly adopted it on December 13. (Resolution 33/42.) The second resolution, sponsored by 25 states, invited all states to make generous offers of study and training facilities to the inhabitants of non-self-governing territories, particularly those in southern Africa. The Fourth Committee approved it on December 5, and the Assembly adopted it on December 13. (Resolution 33/43.)

A draft resolution regarding "Information from Non-Self-Governing Territories transmitted under article 73(e) of the Charter of the United Nations" was approved by the Fourth Committee on December 5 by a recorded vote of 128 to 0, with 4 abstentions (U.S.), and adopted by the Assembly on December 13 by a recorded vote of 138 to 0, with 3 abstentions (France, U.K., U.S.). (Resolution 33/37.) The resolution, *inter alia*, reaffirmed that, in the absence of a decision by the General Assembly that a non-self-governing territory has gained a full measure of self-government, an administering power should continue to transmit information under article 73(e). The United States abstained because it disagreed with the view that the General Assembly is the definitive authority as to when a territory has achieved a full measure of self-government.

#### PLENARY RESOLUTIONS

On December 13 the Assembly adopted two resolutions under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples." The first of these, resolution 33/44, a general colonialism resolution sponsored by 63



states, was based on the report of the Committee of 24, which it approved. Submitted directly to the plenary without reference to a main committee, this resolution, among other things, (1) reaffirmed once again that colonialism, racism, apartheid, foreign economic exploitation, and the suppression of liberation movements in colonial territories pose a serious threat to international peace and security; (2) reaffirmed the legitimacy of the struggle of peoples against colonial and alien domination with all necessary means at their disposal; (3) strongly condemned all collaboration, particularly in the military and nuclear fields, with South Africa; (4) called upon the colonial powers to withdraw all their military bases from colonial territories and to refrain from establishing new ones; and (5) requested the Committee of 24 to seek ways to implement A/RES/1514, to formulate specific proposals in this regard to the 34th General Assembly and to the Security Council, to examine the compliance of member states, to send visiting missions to small territories; and to take all necessary steps to enlist world-wide support for the end of colonialism.

The resolution was adopted by a recorded vote of 129 to 0, with 6 abstentions (U.S.). In an explanation of its abstention, the U.S. Representative, Ms. Angelique Stahl stated that while the United States agreed with the basic goals of the resolution, it had serious reservations on several important points. She pointed out specifically that the resolution approved the report of the Committee of 24 which included a section on Puerto Rico. That section contained a resolution which prejudged the situation there, a clear instance of intervention in U.S. internal affairs. The U.S. Representative stated that the United States could not support language which could be interpreted to condemn all contacts, including diplomatic relations, with South Africa. She also stated generally that the United States has no preconceived notion as to what status any territory should achieve, except that it should correspond to the freely expressed wishes of the local people.

The second resolution, "Dissemination of information on decolonization," was sponsored by 56 states and adopted by a recorded vote of 135 (U.S.) to 0, with 0 abstentions. (Resolution 33/45.) Based on the report of the Committee of 24, the resolution, inter alia, (1) reaffirmed the importance of the widest possible dissemination of information on the evils and dangers of colonialism; (2) requested the Secretary General to continue to give widespread and continuous publicity to the work of the United Nations in the field of decolonization; and (3) requested the Special Committee to follow the implementation of the resolution and report thereon to the 34th session of the General Assembly.

Under the agenda item "Cooperation between the United Nations and the OAU" the General Assembly on December 1 adopted without vote a resolution sponsored by 49 African states. (Resolution 33/27.) The resolution, inter alia, (1) reaffirmed the determination of the United Nations in cooperation with the OAU, to intensify its efforts to eliminate colonialism, racial discrimination, and apartheid in southern Africa; (2) reaffirmed the determination of the United Nations to work closely with the OAU toward the establishment of a new international economic order; (3) requested the Secretary General and organizations within the UN system to insure availability of adequate facilities to provide technical assistance to the OAU



Secretariat as needed; (4) called upon UNDP to arrange for a meeting of OAU and UN organizations to be held in New York in June 1979 during the 26th session of UNDP Governing Council--the meeting to deal with relations between the OAU, the organizations within the UN system as well as assistance to liberation movements; and (5) requested the Secretary General to report to the 34th General Assembly on the implementation of this resolution.

In stating the U.S. position before plenary session, Ms. Stahl said that the United States fully appreciated the important role regional organizations play in promoting peace and cooperation in an increasingly interdependent world. In particular, the United States fully supported OAU efforts to negotiate peaceful solutions to conflicts in Africa. The United States was pleased to join in the consensus vote on the resolution. There were, however, certain reservations; the United States believed that increased politicization of specialized agencies undermined their effectiveness in performing the functions for which they were established, and that the United Nations and the specialized agencies should offer assistance to the people of southern Africa, not to liberation movements or organizations.



**PART IV.**

**LEGAL  
DEVELOPMENTS**

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Legal questions are relevant to a significant part of the work of the United Nations. Many of these questions, such as review of the UN Charter, law of the sea, and the uses of outer space, are discussed in other parts of this report in connection with the underlying issues to which they relate. However, because of their specific character, Part Four deals separately with the activities of the International Court of Justice, the International Law Commission, the UN Commission on International Trade Law, the General Assembly's Sixth (Legal) Committee, and special conferences of committees that consider such questions as relations between UN missions and host countries.

## INTERNATIONAL COURT OF JUSTICE

The International Court of Justice is the principal judicial organ of the United Nations. The Court's principal functions are to decide such cases as are submitted to it by states and to give advisory opinions on legal questions at the request of inter-governmental bodies authorized pursuant to the Statute of the Court and the UN Charter.

The Court is composed of 15 judges, no two of whom may be nationals of the same state, elected by the UN General Assembly and the Security Council, voting independently. The electors are mandated to bear in mind the qualifications of the individual candidates and the need for the Court as a whole to represent the main forms of civilization and the principal legal systems of the world. Members of the Court are elected for 9 years, one-third of the total number of judges being elected every 3 years.

The terms of five members of the International Court of Justice, nationals of the U.S., U.S.S.R., Uruguay, Benin, and Spain, will expire on February 5, 1979. Elections to fill these vacancies were held during the 33rd session of the General Assembly. 1/

The Statute of the Court provides that members are elected by the General Assembly and the Security Council from a list of persons nominated by national groups of the Permanent Court of Arbitration. The U.S. national group makes nominations on its own behalf, not on behalf of the U.S. Government.

On April 11, 1978, the Court announced that the members of its chamber of summary procedure, which the Court forms annually under article 29 of its Statute, remained President Jimenez de Arechaga, Vice President Nagendra Singh, and Judges Forster, Dillard, and Sir Humphrey Waldock.

The Court submitted a brief report to the 33rd General Assembly on its activities in the period from August 1, 1977, to July 31, 1978. The report contained information on the composition of the Court and on its jurisdiction, judicial work, statute and rules, and publications. The report indicated that the Court had adopted on April 14, 1978, a revised set of Rules of the Court, intended to make the Court proceedings more flexible, expeditious, and economical. The General Assembly took note of the report at its 87th plenary meeting on December 19 (Decision 33/428).

### CASES

The Aegean Sea Continental Shelf Case remained before the Court

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1 / See Appendix II, p. 297, for membership.

during 1978.

On August 10, 1976, Greece had instituted proceedings against Turkey in respect of a dispute concerning the delimitation of the continental shelf in the Aegean Sea and the respective legal rights of those two states to explore and exploit that continental shelf. Greece requested the Court to declare, *inter alia*, what was the course of the boundary between the respective portions of the continental shelf appertaining to either state and to declare that Turkey was not entitled to undertake any activities on the Greek continental shelf, whether by exploration, exploitation, research, or otherwise, without the consent of Greece. In invoking the Court's jurisdiction, Greece relied on article 17 of the General Act of 1928 for the Pacific Settlement of International Disputes, read together with both article 36, paragraph 1, and article 37 of the Statute of the Court, and on a joint Greek-Turkish communique issued on May 31, 1975, in Brussels.

Greece also requested the Court to indicate interim measures of protection whereby the two Governments should be directed: (a) unless with the consent of each other, and pending the final judgment of the Court, to refrain from all exploration activity or any scientific research with respect to the areas in dispute; and (b) to refrain from taking further military measures or actions which might endanger their peaceful relations.

The Court held public sittings on August 25, 26, and 27, 1976, at which it heard the observations of the representatives of Greece concerning the request for the indication of interim measures of protection. Turkey was not represented at these hearings and on August 26 indicated in a written submission that it considered the Court had no jurisdiction in the matter.

On September 11, 1976, the Court declined to exercise its power under article 41 of the Statute, as requested by Greece, to indicate interim measures of protection, but decided that the written proceedings should first be addressed to the question of its jurisdiction to entertain the dispute. The President of the Court subsequently set time-limits of April 18, 1977, for submission of Greece's Memorial and October 24, 1977, for Turkey's Counter-memorial.

On April 18, 1977, following a request submitted by Greece with a view to the facilitation of negotiations in progress, these time-limits were extended to July 18, 1977, and April 24, 1978, respectively. The Memorial of Greece was filed within the time-limit so fixed.

On April 24, 1978, the Government of Turkey informed the Court, by letter, that in its view the Court lacked jurisdiction in the case and that Turkey did not intend to present a Counter-memorial to the Greek submission or to appoint an agent to represent Turkey before the Court in the matter.

Public hearings on the question of its jurisdiction were held on October 9, 10, 11, 12, 13, 16, and 17. In support of Court jurisdiction, Greek representatives argued that the General Act of 1928 for the Pacific Settlement of International Disputes was still valid and that by their adherence to the 1928 treaty, Greece and

Turkey were committed to refer their dispute to the Court. Greece also claimed that Turkey had agreed in 1975 to take the issue to the Court. Turkey was not represented officially at any of the hearings.

On December 19, 1978, the Court announced that it had decided by a vote of 12-2 that it lacked jurisdiction in the case of the Aegean Sea Continental Shelf. The Court rejected both of the bases of jurisdiction asserted by Greece but indicated that this did not preclude Greece from bringing the dispute to the Court if the conditions for establishing jurisdiction could be established.

On December 1, the Government of Tunisia notified the registrar of a special agreement concluded between Tunisia and Libya making provision for Memorials to be submitted to the Court within 18 months on a dispute concerning the question of the delimitation of the continental shelf between Tunisia and Libya.

### INTERNATIONAL LAW COMMISSION

Pursuant to resolution 174(II) adopted by the General Assembly in 1947, the International Law Commission (ILC) was established in 1948 to promote the codification and progressive development of international law. It is composed of 25 experts, elected by the Assembly for 5-year terms, who serve in their individual capacities. On November 17, 1976, Stephen M. Schwebel of the United States was elected by the General Assembly for a term beginning January 1, 1977.

The Commission studies topics it has determined are suitable for codification or which the General Assembly refers to it. Its normal procedure is to select one of its members to prepare a report and, after discussion, to draft articles of a codifying instrument. The Commission sends texts to governments for review, reconsiders them in the light of government comments, and then adopts final texts which it forwards to the General Assembly. When the Assembly receives a set of draft articles, generally in the form of a proposed convention, it may convene a diplomatic conference to consider adoption of a convention, review the articles itself, note them, or remand them to the Commission for further study.

### WORK OF THE COMMISSION'S 30th SESSION

The Commission held its 30th session in Geneva from May 8 to July 28, 1978. The Commission completed its work on the most-favored-nation clause, giving its final approval to a set of 30 draft articles on the subject. The Commission made further progress in its work on state responsibility. The Commission also devoted considerable time and attention to the topic of the succession of states in matters other than treaties and on the question of treaties concluded between states and international organizations or between two or more international organizations.



### Most-Favored-Nation Clause

The General Assembly, by resolution 32/151 of December 19, 1977, recommended that the Commission complete in 1978 the second reading of draft articles on the most-favored-nation clause. The Commission accorded a high priority to this subject and completed the draft articles. In accordance with article 23 of its Statute, the Commission adopted a decision recommending to member states that the articles be considered with a view to the conclusion of a convention on the subject.

The most controversial of the Commission's draft articles dealt with exceptions to the most-favored-nation clause, including preferences for developing countries, which is treated in article 23. Articles 24-26 provided other examples of cases when the most-favored-nation clause would not apply. An exception for customs unions was provided only in article 23 (bis) which was not included in the draft articles, the subject instead being left to the states to which the draft was submitted.

In the portion of his statement devoted to the most-favored-nation clause, the U.S. Representative to the Sixth Committee, Robert Rosenstock, noted his delegation's doubts that the subject of the most-favored-nation clause was appropriate for treatment in an international convention. Instead, the United States supported the model law approach to this subject and therefore urged that the subject be studied for another year.

### State Responsibility

During its 30th session, the Commission provisionally adopted four new articles on the responsibility of states for internationally wrongful acts. Article 23 of the articles dealing with state responsibility elaborates further the notion of an "obligation of result," i.e., an obligation to prevent the occurrence of a given event. Articles 24, 25, and 26 all relate to the time at which an internationally wrongful act may be held to have occurred and the time of its duration.

The Commission decided to continue its work on this subject at its 31st session in 1979.

### GENERAL ASSEMBLY ACTION

On December 8, Colombia introduced a draft resolution sponsored by 32 states which, inter alia, recommended that the Commission: (1) continue its work on state responsibility with the aim of completing within the present term of office of the Commission's members at least the first reading of the articles constituting part I of the draft; (2) continue its work on the succession of states in respect of matters other than treaties with a view to completing, at its 31st session, the first reading of draft articles on succession of states in relation to state property and state debts; (3) proceed with the preparation of draft articles on treaties between states and international organizations or between international organizations with a view to completing the first reading of draft articles as soon as possible; and (4) continue its work on

the non-navigational uses of watercourses. The resolution also recommended that the Commission continue its study on the status of the diplomatic bag and diplomatic courier in light of the comments made on this item in the Sixth Committee.

In a separate section of the resolution devoted to the most-favored-nation clause, the General Assembly invited comments from states by December 31, 1979, on the Commission's work relating to the clause and in particular on the draft articles adopted by the Commission, and on those provisions of the draft articles relating to the most-favored-nation clause on which the Commission was unable to take decisions.

The Sixth Committee approved the draft by consensus on the same day, and the General Assembly adopted resolution 33/139 by consensus on December 19.

### INTERNATIONAL TRADE LAW

The United Nations Commission on International Trade Law (UNCITRAL) continued to be a productive, highly professional body which contributes to the harmonization and unification of the law of international trade. The Commission is composed of 36 states elected by the Assembly for a term of 6 years. 2/

#### WORK OF THE COMMISSION'S 11th SESSION

UNCITRAL's 11th session, which took place in New York, May 30 - June 16, 1978, considered the following topics: international sale of goods; international payments; and possible subjects for inclusion in its future work program, one of these being the legal implications of the new international economic order. The U.S. Representative was E. Allan Farnsworth, Professor of Law at Columbia University.

Since the work of UNCITRAL is largely carried out by working groups of varying size, the work of the Commission's sessions is largely devoted to receiving reports from working groups. The Commission received a report from its Working Group on the International Sale of Goods concerning the formation of contracts, and it unanimously decided that this material should be integrated with the existing text of the Convention on the International Sale of Goods in a single "Draft Convention on Contracts for the International Sale of Goods."

The Working Group on International Negotiable Instruments reported on its work on the revised text of the draft uniform law

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<sup>2</sup> / Members in 1978 were Argentina, Australia, Austria, Barbados, Belgium, Brazil, Bulgaria, Burundi, Chile, Colombia, Cyprus, Czechoslovakia, Egypt, Finland, France, Gabon, German Democratic Republic, Federal Republic of Germany, Ghana, Greece, Hungary, India, Indonesia, Japan, Kenya, Mexico, Nigeria, Philippines, Sierra Leone, Singapore, Syria, Tanzania, U.S.S.R., United Kingdom, United States, and Zaire.

of international bills of exchange and promissory notes. The Commission in accordance with its standing policy not to comment on work in progress took note of the report.

The Commission also decided to establish a Working Group on the New International Economic Order. The United States expressed doubts as to the prudence of such a decision in light of the lack of agreement on the new international economic order--the lack of definition of the scope and meaning thereof and the absence of legal implications. In response it was noted that all that would be involved would be recommendations concerning legal issues that might be worked on by the Commission.

The Commission also decided to recommend to the General Assembly that it should defer the transfer of the Commission's Secretariat to Vienna for a period of 3 years, in order to allow time for the establishment of the necessary research facilities.

#### GENERAL ASSEMBLY ACTION

The Sixth Committee of the 33rd General Assembly considered the report of UNCITRAL at 10 meetings from September 26 to October 6. The speakers stressed the importance of UNCITRAL's work and commended its working methods. The U.S. delegate, Mr. Rosenstock, praised UNCITRAL as an outstanding institution and noted the expertise of the delegates, the decision to concentrate on trade practice rather than trade policy, and its superb Secretariat as the sources of UNCITRAL's strength. He added that nothing should be done to weaken the Secretariat's research base. He noted that it was not merely the reference base but the research base which would need to be safeguarded. U.S. doubts as to the wisdom of UNCITRAL concerning itself with the legal implications of the new international economic order were also expressed.

The General Assembly, on December 16, adopted by consensus two resolutions, a general one and another convening the conference to consider the draft Convention on Contracts for the International Sale of Goods. The general resolution noted with approval the work of the Commission, urged it to continue its work along existing lines, and appealed to all governments, organizations, institutions, and individuals to consider making financial contributions to facilitate the holding of a symposium on international trade law. (Resolution 33/92.) The other resolution authorized a plenipotentiary conference to take place in 1980 to embody the results of UNCITRAL's Draft in a Convention on Contracts for the International Sale of Goods. (Resolution 33/93.)

#### VIENNA CONVENTION ON DIPLOMATIC RELATIONS

On December 13, 1976, the General Assembly had adopted resolution 31/76 which, *inter alia*, requested the Secretary General to submit to the General Assembly an analytical report on ways and means to insure the implementation of the 1961 Vienna Convention on Diplomatic Relations. The report was to be based on the comments and



observations submitted by member states and was to take into account, if completed, the study by the International Law Commission on the elaboration of a protocol concerning the status of the diplomatic courier and the diplomatic bag not accompanied by courier. The Secretary General's report which was submitted to the 33rd General Assembly, summarized the general observations of states and their practices with respect to the Convention, as well as their comments on the desirability of greater participation in the Convention, mechanisms for the settlement of disputes, and the desirability of periodic review by the General Assembly of the Convention's implementation. Another portion of the report was devoted to the question of elaborating a protocol on the diplomatic bag and courier. In this regard, the report pointed out a division of views among states. Some, the United States among them, felt that the Vienna Convention contained adequate provisions on the subject of the bag and courier, while others, particularly the Soviet Union and its allies, favored the elaboration of a protocol on this subject. The report also reproduced at length the International Law Commission's study of the subject.

In his commentary on this item in the Sixth Committee, the U.S. Representative, Mr. Rosenstock, addressed several problems related to diplomatic privileges and immunities, including airport security measures, the value-added tax, and towing of illegally parked vehicles. He criticized the report of the Secretary General for reproducing the Commission's study in excessive detail, but complimented the analytical part of the study as a commendable effort to respond to a request for which there was a lack of clear ideas on how to approach the subject. The United States remained convinced, he said, that the best way to insure implementation of the Vienna Convention was acceptance of the jurisdiction of the International Court of Justice over such disputes as arose in practice.

On December 8, Bulgaria introduced a draft resolution which requested those states not yet parties to the Convention to give urgent consideration to acceding to it; called upon states to observe strictly its provisions; noted the invitation to states, contained in resolution 33/139, to comment upon the International Law Commission's study on the elaboration of a protocol concerning the diplomatic courier and the diplomatic bag not accompanied by courier and observed that states might include in these comments additional observations on implementation of the 1961 Vienna Convention; reaffirmed the General Assembly's interest in the subject; and decided that the Assembly would give further consideration to the question at an appropriate time. The draft resolution was approved by the Sixth Committee by consensus on December 8 and was adopted by the Assembly in plenary session, also by consensus, on December 19.

#### HOST COUNTRY RELATIONS

The 15-member Committee on Relations with the Host Country 3/ was established by the General Assembly in 1971 to replace the Informal Joint Committee on Host Country Relations. The Committee's

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3/ Members in 1978 were Bulgaria, Canada, China, Costa Rica,  
(Continued)



mandate includes, *inter alia*, consideration of questions relating to the security of missions to the United Nations and the safety of their personnel, as well as issues arising in connection with the implementation of the Headquarters Agreement. 4 /

The Committee received a number of communications during 1978 regarding terrorist acts, incidents of violence, demonstrations, and other events affecting the security of missions and their personnel. Several of these communications related to demonstrations in the vicinity of the premises of the Soviet mission to the United Nations or in the vicinity of the Riverdale complex which houses Soviet personnel. In each case, U.S. authorities made a thorough investigation of allegations contained in the Soviet complaint and reported their findings to the Committee. The United States rejected all charges of "connivance" in incidents at the Soviet mission or housing complex and reaffirmed its commitment as host country to continue to take the necessary measures to safeguard Soviet properties and mission personnel.

Other incidents concerning the security of missions and their personnel were also the subject of consideration by the Committee including an incident at the Philippine Center, and a bomb explosion at the Cuban mission.

The overall assessment of the United States in regard to security problems was that 1978 had been a good, albeit not entirely trouble-free, year. Although the representative of the Soviet Union characterized this assessment as over-optimistic, the representative of Canada stated that the occurrence of some incidents should not blind the Committee to the fact that 1978 had been a generally good year from the viewpoint of the seriousness and frequency of such incidents.

The most significant matter considered by the Committee was the complaint by Vietnam regarding the compelled departure from the United States of Ambassador Dinh Ba Thi, Permanent Representative of Vietnam to the United Nations. The United States had requested the departure of Ambassador Thi on the grounds that he had abused the "privileges of residence" within the meaning of Sec. 13(b) of the Headquarters Agreement by his involvement in an espionage case. Vietnam complained that the action of the United States was contrary to international law. In particular, Vietnam contended that the U.S. action was a breach of Sec. 13(b) of the Headquarters Agreement because U.S. authorities had not consulted Vietnam beforehand. Vietnam also contended that the U.S. action violated article 105, paragraph 2 of the UN Charter. 5 / Vietnam believed that the General

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(Footnote continued from p.276)

Cyprus, France, Honduras, Iraq, Ivory Coast, Mali, Senegal, Spain, U.S.S.R., United Kingdom, and the United States.

4 / Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations (Resolution 169 (II)), Oct. 31, 1947.

5 / Article 105, paragraph 2 of the Charter provides that representatives of members of the United Nations shall enjoy the necessary privileges and immunities for the exercise of their functions in connection with the Organization.

Assembly should condemn the host country for its action and devise provisions supplementary to the Headquarters Agreement and the Vienna Convention 6 /which would "insure the independence of the United Nations vis-a-vis the host country by expressly laying down the principle of priority of the privileges accorded by the United Nations to its members over a declaration of persona non grata by the host country."

Ambassador James F. Leonard, speaking for the United States, responded to the Vietnamese charges and explained the circumstances leading to the request that Ambassador Thi leave the United States. Ambassador Leonard stated that the United States Government had requested the departure of Ambassador Thi, only after the most serious consideration of the matter. The right to compel the departure of a member of a mission accredited to the United Nations whenever privileges of residence were abused, which the United States derived from its sovereignty, had been preserved by Sec. 13(b) of the Headquarters Agreement. He pointed out that although the United Nations had been established in New York for a generation and the community formed in New York by diplomats, staff members, and their families numbered more than 29,000 persons, including over 400 persons with diplomatic status, less than one case a year had occurred in which abuse of residence privileges had led the United States to seek the departure of anyone in accordance with the Headquarters Agreement. On the whole, there had been the greatest mutual respect for the rights of the United Nations and of the host country. The small number of requests for the departure of diplomats--less than 32--showed that the diplomatic community had behaved with great correctness and that the United States had exercised its rights with due restraint. A seven-count indictment had been returned against Ronald Louis Humphrey, an employee of the United States Information Agency, and Truong Dinh Hung, a national of Vietnam. It charged them with conspiring and acting to deliver material relating to the national defense to the Government of Vietnam. Mr. Dinh Ba Thi was one of five persons named as unindicted co-conspirators in the indictment. The United States, which had never previously asked for the departure of the Permanent Representative of a member state, had been compelled by the circumstances to take action in the case under consideration. Despite the gravity of the matter, the United States hoped that it would not seriously affect the process of normalization of relations, which the United States and Vietnam had declared to be in their mutual interest. The action of the United States in no way impaired the right of Vietnam to send a new Permanent Representative immediately, so that its mission might participate fully in the work of the United Nations. The United States hoped that a new Permanent Representative would shortly be named, so that the incident could be closed.

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6 / Vienna Convention on Representation of States in Their Relations with International Organizations of a Universal Character. Done at Vienna on March 14, 1975.

The Thi case provoked an extensive debate in the Committee. A point of particular controversy was whether the United States had discharged its obligation to consult with Vietnam prior to requesting Ambassador Thi's departure. A range of opinion was expressed on this question and the UN Legal Counsel was called upon to explain the meaning of "prior consultation" as used in the Headquarters Agreement. The Legal Counsel indicated that a distinction should be drawn between "consultation" on the one hand and "agreement," "concurrence," or "consent" on the other unless it was clearly understood that the purpose of consultations was to secure agreement.

The Committee also made recommendations with respect to matters such as the security of missions, parking problems, and the unpaid bills of certain missions and their personnel.

The Sixth Committee considered the report of the Committee on Host Country Relations at three meetings between December 4 and December 7. The Committee on Host Country Relations had not included in its report any recommendation pertaining to the Ambassador Thi incident or the general questions raised in connection with it. However, on December 7, the Sixth Committee approved by consensus a resolution sponsored by Vietnam expressing "its concern over the incident and all its aspects which resulted in a diplomatic representative of a member state of the United Nations being unilaterally required to leave the host country." Further, it requested the Secretary General to enter into consultations with the United States concerning procedures for the consultations required by Sec. 13(b) of the Headquarters Agreement and to report to the Committee on Host Country Relations regarding the consultations. The resolution also accepted the recommendations of the Committee on Host Country Relations and decided to continue the work of the Committee. The General Assembly subsequently adopted the resolution by consensus on December 16. (Resolution 33/95.)

#### REGISTRATION AND PUBLICATION OF TREATIES

In 1978 the General Assembly also grappled with the problem of monumental delays in and costs of publication of treaties and agreements registered with the United Nations. In keeping with the tradition of opposition to secret treaties articulated by Woodrow Wilson, and a similar article in the Covenant of the League of Nations, the UN Charter--under article 102--contains a requirement that all treaties and other international agreements are to be registered with the United Nations. The article also prohibits any party to an unregistered agreement from invoking it in UN bodies. In 1946, 1949, and 1950 the General Assembly promulgated regulations governing registration questions and requiring publication in the UN Treaty Series of all registered agreements.

The number of international agreements registered with the United Nations each year, which must be published in the Treaty Series, has expanded enormously since its publication began in 1946. This expansion has been due to the great increase in the number of independent nations (51 UN members at the San Francisco Conference in 1945; more than 150 in 1979) and the vastly increased number of subjects on which nations now see fit to enter into international agreements.



In 1977 the General Assembly considered a 10-year plan under which the more than 200 volume backlog in the publication of the UN Treaty Series could be overcome. But further experience showed that the costs would exceed \$8 million, which, as a Working Group of the Sixth Committee noted in 1978, was "a huge amount taking into account the resources of the United Nations." Joining with the UN Legal Counsel, the Working Group, under the Chairmanship of Tunisia and with the United States playing a leading role, produced a plan for overcoming the backlog within current financial and personnel resources.

These measures of reform, modernization, and economy include giving discretion to the UN Secretariat not to publish (1) limited-scope assistance agreements concerning financial, commercial, administrative, or technical matters; (2) agreements on the organization of international conferences; and (3) agreements published by UN Specialized Agencies (e.g., the World Bank) or in other UN publications. The Secretariat has estimated that savings resulting from non-publication of such "low priority" treaties during the 6-year period 1973-79 alone would eliminate 1,267 agreements and translation of approximately 16,000 pages, and produce a saving of \$2.5 million of the \$8 million estimate for the 10-year plan to eliminate the backlog. Revision of the UN regulations regarding the publication of treaties is anticipated to reduce the annual Treaty Series publication schedule from some 50 to approximately 30 volumes with an annual saving of \$500,000, with the hope of reducing the existing interval between registration and publication from the current 5-year gap to 1 year. At the same time, in order to be sure that governments, scholars, and others have access to non-published agreements, the Secretariat will insure the comprehensive character of its monthly statement of treaties registered with the Secretariat and will provide the text of any treaty that has not been published in the Treaty Series.

The General Assembly, on the recommendation of the Sixth Committee, approved these various reform measures without a vote on December 19, 1978. (Resolution 33/141.) The Secretary General is to report on the initiation of this program to the General Assembly in 1979.

#### INTERNATIONAL CONVENTION AGAINST THE TAKING OF HOSTAGES

The subject of an International Convention Against the Taking of Hostages was first placed on the agenda of the General Assembly at its 31st session by the Federal Republic of Germany. At that session, the General Assembly decided in resolution 31/103 to convene an Ad Hoc Committee on the Drafting of an International Convention Against the Taking of Hostages. The United States strongly supported this initiative.

The first session of the Ad Hoc Committee met in 1977 but failed to produce a draft convention, largely because of disagreement concerning the scope and/or definition in the convention. These issues were tied by some to the issue of the rights of national liberation movements and the question of whether state conduct should



be dealt with in the convention. Nevertheless, the Ad Hoc Committee recommended by consensus that it be reconvened to continue its work in 1978. The General Assembly so decided in its resolution 32/148.

The second session of the Ad Hoc Committee met in Geneva from February 6 to 24. The Ad Hoc Committee decided to form two working groups, one devoted to a review of technical, legal issues and one devoted to the more political issues (such as the coverage of national liberation movements). The first working group made substantial progress; reviewing a draft text, proposed by the Federal Republic of Germany, it resolved nearly all of the technical or legal problems in the drafting of a convention. However, the second working group proved unable to resolve the central political issue--the treatment of national liberation movements. The United States and other Western countries remained firm in their position that all acts of hostage-taking must be condemned and that the motive of the offender could not justify such an act. The Ad Hoc Committee recommended that it be reconvened for a third session.

The Sixth Committee of the General Assembly considered the report of the Ad Hoc Committee at nine meetings, between November 10 and 21. On November 20, the U.S. Representative in the Sixth Committee, Mr. Rosenstock, made a brief statement calling attention to the progress made at the second session of the Ad Hoc Committee; emphasizing the urgent need for the completion of a convention; stressing the fundamental principle that the taking of hostages was an act prohibited by international law, without exception; and supporting the reconvening of the Ad Hoc Committee.

At the 46th meeting, a draft resolution, ultimately sponsored by 56 states, including the United States, was introduced by the Federal Republic of Germany. The resolution, which decided to continue the Ad Hoc Committee and requested it "to make every effort to submit a draft convention" to the 34th General Assembly, was approved by consensus in the Sixth Committee on November 21 and resolution 33/19 was adopted by the General Assembly in plenary session on November 29.

#### NON-USE OF FORCE IN INTERNATIONAL RELATIONS

In 1977 the 32nd General Assembly had adopted a resolution (Resolution 32/150) which called for the establishment of a "Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations" <sup>7/</sup>with the mandate "to consider proposals and suggestions submitted by any state, bearing in mind the views expressed during the debates on this item at the 31st and 32nd sessions of the General Assembly, with the goal of drafting a world treaty on the non-use of force in international

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<sup>7/</sup> Members in 1978 were Argentina, Belgium, Benin, Brazil, Bulgaria, Chile, Cuba, Cyprus, Ecuador, Egypt, Finland, France, Federal Republic of Germany, Greece, Guinea, Hungary, India, Iraq, Italy, Japan, Mexico, Mongolia, Morocco, Nepal, Poland, Romania, Senegal, Somalia, Spain, Togo, Turkey, Uganda, U.S.S.R., United Kingdom, and United States.

relations as well as the peaceful settlement of disputes or such other recommendations, as the Committee deems appropriate."

The Special Committee met in New York from August 21 to September 15, 1978. During the course of the session, the Committee considered a "Draft World Treaty on the Non-Use of Force in International Relations" which had been submitted by the Soviet Union. The Committee spent 3 weeks in debate on proposals for drafting a treaty and heard 35 statements by 33 states.

The U.S. Representative, Mr. Rosenstock, speaking on September 5, stressed that the emphasis of the Committee, on drafting a treaty, was misplaced; rather it should devote more attention to the provision of its mandate that allowed it to make other appropriate recommendations, and that it had a responsibility to consider all reasonable approaches to enhance the effectiveness of the prohibition of the threat or use of force. The UN Charter, he said, already stated with admirable clarity the obligation of states with respect to the non-use of force. He urged that the existing language of the Charter be made an integral part of the national policies of every state. In his view, actions that could be taken to encourage states to abide by their Charter obligations included (1) the willingness of the international community to urge peaceful settlement of disputes and, conversely, to bring the pressure of political opprobrium to bear on states that refused to settle disputes; (2) the seeking of third-party settlement in cases where disputes are not settled expeditiously by negotiation; and (3) agreeing that the fact-finding aspect of dispute settlement be encouraged, perhaps by a recognition that the unanimity principle in the Security Council relates to recommendations but that no chain of events should ever bar the Council from ascertaining facts by whatever means it sees fit. He said it would seem useful for the Special Committee to explore ways and means of routinely involving the Security Council in sensitive situations that do not seem to be approaching a solution. He made the final point that the ground being covered by the Committee in connection with the non-use of force was substantially the same as that being covered by the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization; not only did this seem incredibly inefficient, but there was also the danger that their recommendations would not be in complete harmony.

On September 8 the Committee established a working group with the same mandate as the Committee. The working group and the Committee did not complete their work by the end of the session, September 15. Many delegations spoke in support of the continuation of the Committee's work and stressed the importance of the issue. The Committee's report did not contain any recommendations to the General Assembly.

The Sixth Committee of the 33rd General Assembly considered the Report of the Special Committee at 10 meetings between November 16 and 30. On November 20, the Soviet Union introduced a resolution (ultimately sponsored by 31 states) to continue the work of the Special Committee under much the same mandate given it in 1977.

Speaking on November 24, Mr. Rosenstock presented the U.S.

position on the item of non-use of force. He pointed out that if UN members distracted themselves with treaties pledging not to do what they were already legally prohibited from doing, they would fail to concentrate on the real problems existing in the world: privation; human rights; and the inability of the international system, as embodied in the United Nations, to elaborate machinery capable of providing a satisfactory alternative to the use of force. The elaboration of a redundant treaty, he maintained, was not only a misuse of scarce human and financial resources but was also dangerous, as it would weaken treaty obligations under the UN Charter to suggest that two treaties were better than one. He noted that if a new draft treaty were merely to repeat what was already contained in the Charter, a danger lay in the conclusion that might be drawn should a state choose not to become a party to the treaty. He questioned whether that state would be relieved of its Charter obligations, or would the solemn act of becoming a party to a treaty be reduced to meaninglessness since parties and non-parties would have the same legal obligations. He emphasized that if the new treaty differed from the Charter in any respect, the confusion would only be compounded. He suggested that the confusion would throw into doubt various aspects of the Charter, such as the entire collective-security mechanism. He stressed the importance of the peaceful settlement of disputes and noted with satisfaction that the draft resolution before the Sixth Committee treated peaceful settlement equally with the non-use of force. He said that if the Special Committee devoted the bulk of its energies to the study of an appropriate response to the failure of states to settle disputes and attempt to elaborate machinery so that disputes would not fester until they finally exploded, it might serve a useful function. He concluded by indicating the continued reference in the draft resolution of the concept of a world treaty on the non-use of force could distract the Special Committee from the useful tasks it might perform. For that reason, the United States did not support the resolution. But because of the breadth of the Special Committee's mandate, the United States expressed its willingness to participate in the work of the Special Committee and to cooperate in examining reasonable measures that could be taken to diminish the threat or use of force.

The resolution was approved by the Sixth Committee on November 30 by a rollcall vote of 79 to 0, with 24 abstentions (U.S.). On December 16 the Assembly in plenary session adopted the resolution by a vote of 117 to 0, with 23 abstentions (U.S.). (Resolution 33/96.)

#### DRAFT CODE OF OFFENSES AGAINST THE PEACE AND SECURITY OF MANKIND

After a hiatus of more than 20 years, the General Assembly resumed consideration of a "Draft Code of Offenses Against the Peace and Security of Mankind." The International Law Commission had submitted such a draft code to the General Assembly for its consideration in 1954. After considerable debate, the General Assembly, by resolution 897 (IX), decided in 1954 to defer consideration of the item. This decision was confirmed 3 years later



by resolution 1186 (XII). Interest in the draft code revived after the adoption of a definition of aggression by the General Assembly in 1974. 8/ The absence of such a definition had been cited as a factor in the General Assembly's earlier decision to defer consideration of the draft code.

The Sixth Committee debate in 1978 reflected the lengthy interval between the initial submission of the International Law Commission draft and the 33rd General Assembly. While a few speakers addressed the substance of the item, other speakers stated that government comments on the draft code should be requested and that the item should be placed on the agenda of a subsequent General Assembly session. Cautionary notes were struck by a number of delegations including the Netherlands and the United States; both, inter alia, emphasized the connection between the elaboration of the draft code and the establishment of international judicial machinery and expressed doubts as to the utility of reviving the exercise. Without such machinery, there would be little guarantee of fairness or impartiality in the application of the code. In addition, the U.S. delegate, Mr. Rosenstock, noted that the 1974 definition of aggression had been designed to assist the Security Council in the discharge of its functions and that it might not be responsive to the needs of the draft code. He stated that a decision to request government comments should await more extensive Sixth Committee debate so that governments would have a firmer basis for their comments.

General Assembly resolution 33/97, adopted on December 16, 1978, requested government comments on the draft code by December 31, 1979, and placed the item on the agenda of the 35th session of the General Assembly. The resolution also requested the Secretary General to circulate all relevant official documentation on the item in order to assist governments in formulating their comments. The resolution, having been approved by the Sixth Committee, was adopted in plenary session by a vote of 116 to 0, with 23 abstentions (U.S.). A particularly contentious point was the refusal of the cosponsors of the resolution to accept any preambular reference to a connection between the draft code and the establishment of an international criminal jurisdiction, i.e., an international criminal tribunal. An oral amendment offered by France and supported by the United States to include such a reference had been rejected in the Sixth Committee by a vote of 41 to 25 (U.S.), with 32 abstentions.



**PART V.**

**BUDGET,  
ADMINISTRATION,  
AND INSTITUTIONAL  
MANAGEMENT**

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The work of the General Assembly's Administrative and Budgetary Committee (Fifth Committee) is necessarily related to the work of all the other main UN committees. It deals with organization-wide administrative problems, such as conference scheduling, personnel issues, and coordination of activities among various elements of the United Nations. Before the General Assembly votes on a resolution having financial implications, the Fifth Committee provides information regarding the effect the resolution will have on the UN budget if it is adopted. Finally, the Fifth Committee makes recommendations to the General Assembly on the regular program budget and assessed peacekeeping budgets.

The United Nations has established several special bodies, some consisting of experts and some of an intergovernmental nature, to assist in various aspects of this work. With respect to financial matters, the best known of these expert committees are the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and the Committee on Contributions. The ACABQ examines the Secretary General's proposals and reports to the General Assembly on the UN budget and UN accounts; on the administrative budgets of the UN specialized agencies; and on other administrative, financial, and budgetary matters referred to the Advisory Committee. The Committee on Contributions advises the General Assembly on all questions relating to the apportionment among UN members of the expenses of the United Nations. Other expert financial bodies are the Board of Auditors, the Investments Committee, and the UN Joint Staff Pension Board.

Important expert bodies in the administrative field include the International Civil Service Commission (ICSC)--which makes recommendations to the General Assembly for the regulation and coordination of conditions of service within the United Nations, the specialized agencies, and other international organizations which participate in the UN common system--and the Administrative Tribunal--which hears and passes judgment on applications alleging non-observance of contracts of employment of UN Secretariat staff. An important intergovernmental body in the administrative area is the Committee on Conferences, which seeks to develop a workable calendar of UN meetings and advises the Assembly on the most efficient use of conference resources and on current and future requirements.

Three disparate, but related, bodies have responsibilities ranging broadly across the work of the whole UN system of organizations. The Joint Inspection Unit (JIU), a group of experts, is empowered to investigate and evaluate any matter bearing on the efficiency of services and the proper use of funds. The Committee for Program and Coordination (CPC), an intergovernmental body, serves as the main subsidiary organ of both ECOSOC and the General Assembly for planning, programming, and coordination. Finally, the Administrative Committee on Coordination (ACC)--composed of the UN Secretary General and the executive heads of the specialized agencies, the IAEA, and other major bodies and programs--meets regularly to supervise the implementation of the agreements between the United Nations and the specialized agencies and to coordinate the activities of the various organizations.

All of these special groups are relatively small, and much of their work is done quietly and behind the scenes throughout the year. The United States or American citizens are members of all bodies subject to geographic distribution. The developments described in Part V of this report reflect in large part the work of these bodies.



## UN FINANCIAL MATTERS

### UN FINANCIAL SITUATION

As of September 30, 1978, the short-term deficit of the United Nations was over \$152 million, an increase of more than \$32 million over the previous year. Primarily responsible for this continuing problem are those member states who intentionally withhold all or part of their assessments for peacekeeping operations. These include the U.S.S.R., China, and a number of small contributors. The U.S.S.R. (including the Ukrainian and Byelorussian S.S.R.), in addition to Bulgaria and the German Democratic Republic, also add to the deficit by attempting to pay their share of UN regular budget technical assistance in non-convertible currencies which are not accepted by the United Nations unless they are specifically needed for technical assistance projects by the organization. Withholdings for UN bond repayments and the slow payment of assessments also add to the UN deficit.

The Negotiating Committee on the Financial Emergency of the United Nations, established by the 30th General Assembly in 1975, failed to reach a consensus on a solution to the UN's financial problem and so reported to the 31st General Assembly, which deferred consideration of the report until the 32nd session of the General Assembly. The 32nd General Assembly in turn deferred consideration of the issue to the 33rd General Assembly.

On December 19, the General Assembly, on the recommendation of the Fifth Committee, adopted without a vote decision 33/430 which, inter alia, requested the Secretary General to provide, at the 34th session of the General Assembly, "detailed information regarding the extent, rate of increase and composition of the deficit of the Organization, as well as voluntary contributions received from member states and other sources."

The United States has continued to maintain in the Fifth Committee and elsewhere that member states responsible for the UN financial problem should (1) pay their arrears either through voluntary contributions or through direct payment of past assessments, (2) discontinue withholdings, and (3) contribute only in currencies usable by the United Nations.

### UN REGULAR BUDGET

The United Nations was unable to complete its business by the end of December 1978, and a resumed session was held from January 15 through January 29, 1979. Therefore, the 1978-79 supplemental was acted upon in two installments, the first in the regular session and the second in the resumed session.

The first installment of \$10,459,600 was approved by the General Assembly on December 21 by a vote of 113 to 15 (U.S.), with 3 abstentions. (Resolution 33/180.) The increase was attributable

to various components, including a one-time cost of \$4.4 million for moving UN units into the Vienna International Center; \$1.8 million for the Eighth session of the Third Conference on the Law of the Sea; \$.6 million for increased staff for the Board of Auditors; and alternations and improvements to the UN Headquarters in New York, \$.4 million.

For the first time in the history of the United Nations, the United States voted against the budget in both the Fifth Committee and in the General Assembly. The U.S. position was based on the fact that necessary financial restraint was not exercised, resulting in a large program increase in the second year of the biennium.

By the conclusion of the first session of the 33rd General Assembly, the 1978-79 biennial budget had risen from \$985,913,300 to \$996,372,900.

The second installment of \$93,740,600 <sup>1</sup>/was approved, January 29, 1979, by a recorded vote of 98 to 15 (U.S.), with 9 abstentions. (Resolution 33/205 A.)

The two supplementals, totaling \$104,200,200 brought the level of the 1978-79 biennium to \$1,090,113,500. The U.S. Representative to the Fifth Committee, George F. Saddler, said that program growth could have been controlled had the Secretariat, under the direct leadership of the Secretary General, complied with the General Assembly's repeated requests to identify marginal, obsolete, or ineffective programs. He went on to state that there must be positive assurances that serious efforts are made to insure the consideration of all possible savings before new or expanded programs are proposed by member states for additional financing. Because the United States was not convinced that austerity was the guiding principle, the United States cast a negative vote to signal the need for a greater sense of fiscal responsibility among United Nations member states.

#### Advantages and Disadvantages of Semi-Full Budgeting

The 32nd General Assembly expressed the view that one of the important problems arising in connection with the presentation of the 1978-79 biennial budget was that of the best way to deal with inflationary trends and currency instability. Accordingly, the General Assembly requested a study of the advantages and disadvantages of semi-full budgeting. In response the Secretary General

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<sup>1</sup> / \$74.8 million for adverse currency fluctuation, \$.4 million for inflation, and \$18.5 million for program growth--including \$1.0 million for Habitat, \$1.2 million for expenses arising from the special Assembly session on disarmament, \$3.9 million for conference servicing, \$2.2 million for the Council for Namibia, \$1.3 million for the UN Conference on Science and Technology for Development, \$2.1 million for UNCTAD, \$.7 million for the Conference on the UN Decade for Women, and \$.7 million for the Conference on New and Renewable Sources of Energy.

submitted a report to the 33rd General Assembly. This report was considered by the Fifth Committee at several meetings together with a report by the ACABQ 2 /on the Secretary General's report.

The ACABQ report defined "full budgeting" and "semi-full budgeting" as follows:

"The purpose of full budgeting is to anticipate, to the extent possible, in the initial budget estimates being prepared, all cost and price increases or decreases that can be foreseen for the budget period under consideration, thereby minimizing the need for supplementary appropriations. Under full budgeting, as practiced in the United Nations, the budget base is calculated at average prices prevailing during the year preceding the new biennium; anticipated inflation costs for the first and the second years of the new biennium are then added to the base.

"Under semi-full budgeting as practiced by UNESCO the initial estimates for the biennium include the cost increases which are expected to arise in the first year, but exclude the further increases over the first-year level which may occur in the second year. The first-year-level increases are over a base calculated at prices expected to prevail on the last day (December 31) of the year preceding the new biennium.

"The main difference between semi-full budgeting and full budgeting as practiced by UNESCO and the United Nations respectively lies in their different methods of computing base costs and in UNESCO's non-provision for further inflation in the second year of its budget. The base of the UNESCO budget is higher than the United Nations base, thereby providing the Director General with somewhat greater resources in the first year of the biennium than would have been the case under United Nations practice, and diminishing the full impact of omitting provision for further inflation during the second year."

The ACABQ concluded that there was no obvious advantage at the present time in the United Nations abandoning full budgeting, but that if circumstances changed "the question of semi-full budgeting might usefully be given further consideration."

The United States has consistently opposed full budgeting. On November 13 the U.S. Representative, Mr. Saddler, summarized the views influencing this position as follows: (1) semi-full budgeting exerts a constant and beneficial pressure on organizations to carry on a continuing search for direct economies and improved management practices that will lead to economies; (2) full budgeting destroys the incentive to seek savings; and (3) it is not possible to anticipate with any degree of accuracy the inflationary rate over a period

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2 / An expert body of 16 members appointed by the General Assembly for 3-year terms. Virginia C. Housholder (U.S.) was a member during 1978. On Nov. 3 the Assembly without vote appointed George F. Saddler (U.S.) to a term beginning Jan. 1, 1979.



of 2 years or more.

On November 16, the Fifth Committee decided by consensus to recommend to the General Assembly that it take note of the reports of the Secretary General and the ACABQ and request the ACABQ to remain seized of the question and report to the General Assembly, as appropriate, on developments. The General Assembly adopted the recommendation by consensus on December 21, 1978. (Resolution 33/116 B, Sec. VIII.)

### Impact of Inflation

The Fifth Committee on December 8, 1978, began discussion of a report by the Secretary General on the impact of inflation on budgets of organization in the UN system. The report concluded that in view of the complexity of forecasting the effects of inflation there are practical limits to the possibility of introducing a completely uniform methodology, and, in addition, that no single technique or methodology could, in and of itself, provide a solution to the added problem created by the impact of inflation on the costs of programs of the organizations in the UN system. On December 9, the Fifth Committee recommended without objection that the General Assembly take note of the report.

Cuba again introduced a draft resolution on the subject of inflation which was similar to a draft resolution it had introduced during the 32nd General Assembly. The draft resolution proposed, inter alia, that (1) 80% of the losses incurred through inflation should be borne by the developed countries in which the United Nations has headquarters, in proportion to the expenses incurred in those countries; (2) the remaining 20% should be borne by the other countries prorated in accordance with the regular scale of assessments; and (3) such losses sustained in developing countries where the United Nations has headquarters should be absorbed by the regular budget. In earlier years similar Cuban proposals (which the United States has opposed) have not been successful in the Fifth Committee, and 1978 was no exception. The Fifth Committee decided without discussion or objection to postpone consideration of the draft resolution until the 34th General Assembly.

### Marginal and Obsolete Activities

After repeated requests that the Secretary General identify marginal, obsolete, and ineffective programs, the 32nd General Assembly, in resolution 32/201, noted with deep concern that the provisions of resolutions 3534 (XXX) and 31/93 had not been carried out and urged the Secretary General to insure their implementation "in the preparation of the proposed program budget for the biennium 1980-1981 and the performance report on the program budget for the biennium 1978-1979."

In compliance with resolution 32/201, the Secretary General submitted to the 33rd General Assembly a report on marginal, completed, and obsolete programs. Rather than identifying activities for which funds could be released and applied to new or expanded programs, the Secretary General stated that "no real progress will



be achieved until methods have been devised and instruments established whereby reliable information on program implementation can be obtained . . . ." The report did outline measures which would be taken to implement the resolution when the 1980-81 budget was prepared.

The U.S. Representative to the Fifth Committee stated that "we consider the report . . . a collection of obfuscations and alleged prerequisites to the type of report mandated by the General Assembly."

As a consequence, the United States and the Soviet Union co-sponsored a resolution which, inter alia, called upon the Secretary General to report to the Assembly at its 34th session on the implementation of General Assembly resolution 32/201. Because of time constraints, the Assembly was unable to consider and act upon the Fifth Committee recommendation during the first part of the 33rd General Assembly. On January 29, 1979, by a recorded vote of 123 (U.S.) to 0, with 0 abstentions, the General Assembly adopted resolution 33/204 requesting the Secretary General to implement fully resolution 32/201 and report to the 34th General Assembly on the measures taken.

During the debate in the Fifth Committee on the presentation of the United Nations budget, Australia introduced a draft resolution which the Fifth Committee recommended to the General Assembly, requesting the Secretary General to prepare, in consultation with the ACABQ, a short manual to be issued at the same time as the budget, setting out clearly and simply the methodology used in preparing the budget. The resolution also stipulated that the manual define basic terms and list regular documents issued by the Secretariat where basic financial data can be found. The General Assembly, without a vote, adopted resolution 33/116 on January 29, 1979.

The Cuban delegation also introduced a draft resolution during the debate, requesting the Secretary General to include in the summary of the proposed 1980-81 budget, a summary of information on expenditures for 1980-81 and the three previous budgets, under the headings: overall policymaking, substantive activities, and non-substantive activities. After several amendments, the draft resolution was revised to request the Secretary General to include in the proposed program budget of the 1980-81 biennium his views on the utility of providing in the summary of proposed program budgets for future biennia, a summary of information classified under those headings. Resolution 33/203 was adopted, without vote, on January 29, 1979.

#### EIGHTH SPECIAL SESSION OF THE GENERAL ASSEMBLY AND UNIFIL

Secretary General Waldheim convened the eighth special session of the General Assembly on April 20 and 21, 1978, for the purpose of financing the newly created United Nations Interim Force in Lebanon (UNIFIL). The force had been created by resolution 425(78) of the Security Council on March 19 subsequent to renewal of hostilities in the Middle East on March 11, 1978. The session was held in accordance with resolution 32/214 of December 21, 1977, on unforeseen and extraordinary expenses for the 1978-79 biennium.

The Assembly, in adopting that resolution, decided "that if, as a result of a decision of the Security Council, commitments relating to the maintenance of peace and security should arise in an estimated total exceeding \$10 million before either the 33rd or 34th session of the General Assembly, a special session of the Assembly shall be convened by the Secretary General to consider the matter."

Upon recommendation by the Fifth Committee, the General Assembly adopted resolution S-8/2 by a recorded vote of 99 (U.S.) to 14, with 0 abstentions. The resolution appropriated \$54 million for the operation of UNIFIL for the period from March 19 to September 18, 1978, inclusive. Among member states explicitly refusing to assume any financial responsibility arising from UNIFIL's operation were: the German Democratic Republic, Iraq, Poland, Mongolia, Libya, the U.S.S.R., Ukrainian S.S.R., Bulgaria, Laos, Cuba, Hungary, Vietnam, Benin, Byelorussian S.S.R., and Syria. Their rationale for refusing to pay was based on their belief that Israel, as the aggressor, should be fully accountable for all costs associated with UNIFIL. Albania stated it would not participate in financing the force and would vote against the draft because it felt that UN forces have never served the cause of real peace or stability in the world. Cuba's position was that it did not object to adopting a budget for the forces requested by Lebanon, but Cuba voted against the draft resolution.

As with other peacekeeping votes, the People's Republic of China did not participate.

On September 18, 1978, the Security Council extended UNIFIL for an additional 4 months through January 18, 1979. On November 3, 1978, the Assembly adopted resolution 33/14 by a recorded vote of 114 (U.S.) to 13, with 4 abstentions; the resolution appropriated \$44.6 million for the continued operation of UNIFIL. It authorized the Secretary General to enter into commitments at a rate not to exceed \$11,142,000 per month for the period January 19 to October 31, 1979, should the Council continue the force beyond January 18, 1979. The resolution also provided an additional \$6.9 million representing the amount of commitments entered into by the Secretary General, with the prior concurrence of the ACABQ, under resolution 32/214 on unforeseen and extraordinary expenses. The additional requirement arose from resolution 427(78) of the Security Council which increased the troop strength from 4,000 to 6,000.

#### UNEF/UNDOF FINANCING

On December 8, 1978, the General Assembly, on the recommendation of the Fifth Committee, adopted two financing resolutions for UNEF and UNDOF. Both resolutions were adopted by recorded votes of 94 (U.S.) to 3 (Albania, Iraq, Syria), with 11 abstentions. The first, resolution 33/13C, appropriated \$58,059,000 for the operation of UNEF for the period October 25, 1978, through July 24, 1979. The second, resolution 33/13D, appropriated \$12,159,828 for UNDOF's operation from October 25, 1978, to May 31, 1979. The resolutions also provided for the Secretary General to enter into commitments at rates not to exceed \$6,082,333 per month for UNEF and \$1,682,833 per month for UNDOF for the periods July 25 through October 24, 1979, and June 1 to October 24, 1979, respectively. This provision was

contingent upon continuation of the forces' mandates by the Security Council.

The financing resolutions for the three peacekeeping operations, UNEF, UNDOF, and UNIFIL (see p. 262), reaffirmed the principle of special responsibility of the permanent members of the Security Council for the maintenance of international peace and security and implicitly endorsed the collective responsibility of the entire membership of the organization for meeting peacekeeping costs.

#### AUDIT REPORTS

In its report to the 33rd General Assembly, which was endorsed by the ACABQ, the UN Board of Auditors highlighted four specific shortcomings in the financial management process of the United Nations. These were: (1) lack of acceptance of the Controller's responsibility to provide leadership, guidance, and direction to the financial function; (2) failure of the financial reporting system to assure the accountability of managers; (3) inadequacy of accounting and internal control systems; and (4) failure to utilize the potential of the internal audit service. The views of the United States on the audit report were expressed in the Fifth Committee on October 2, 1978, by Mr. Saddler who pointed out that the United States has long emphasized the importance of the audit function and the need for greatly improved financial management because the United Nations cannot afford the risk or the cost of mismanagement.

With respect to the role of the Controller, Mr. Saddler said the United States strongly concurs with the Board of Auditors that strong leadership should be provided, and agreed with the ACABQ that "the present financial regulations which have been approved by the General Assembly and the financial rules which have been formulated by the Secretary General provide adequate legislative and administrative authority plus the necessary guidance for the objective sought by the Board. The authority exists, and needs only to be exercised." The United States urged the Secretary General and the Controller "to cite, reveal, expose those persons within the Secretariat possessing undisciplined attitudes or that do not fully meet the provisions of Article 100 of the Charter requiring the highest standards of efficiency, competence, and integrity."

On the matter of financial reporting, he expressed the view of his delegation that "deficient financial reporting systems must be improved," and that "program managers empowered to expend United Nations funds must be clearly accountable and provide complete reports on the exercise of their financial duties."

The United States called for immediate action by the Secretariat to prevent recurrence of instances identified by the Board of Auditors which involved the disregard of allotment control, advised of its great concern about the Board of Auditors' report that "discrepancies exist in technical cooperation accounts ranging from carelessness to apparent improprieties," and believed that "unless proper controls are immediately established to assure the proper disbursement of technical cooperation funds, the consequences could be rather serious."



Referring to the Board's comments on internal audit, Mr. Saddler emphasized the U.S. view that "internal audit is an essential function, both in its own right, as an arm of management, and as an important adjunct to the external audit function." The United States endorsed the measures taken for the strengthening of the internal audit service and called upon the Secretariat to promptly establish "programs for the professional development, training, and career planning of the audit staff."

The Board's report noted instances of alleged misuse of funds, and Mr. Saddler pointed out that the United States felt it important to take cognizance of this situation, adding:

"Fraud affects the organization and it also has a consequence on the other parties involved. While we are happy to know that the Secretariat is actively seeking recovery of these misappropriations which, while serious in nature, are fortunately limited in the magnitude of funds involved, nevertheless, the existence of such cases is an indication of the need for improvements in financial systems and the quality of financial management plus, in our view, the need for more extensive internal auditing of United Nations Accounts."

The United States, he said, advocated strengthening and expanding the role of the Board of Auditors, in order to permit more efficient and economical application of the available funds. to the goals and objectives of the United Nations. "The United States itself is enhancing its own capabilities to better monitor the implementation of the recommendations of the Board of Auditors and hopes that other delegations will also do so."

The Chairman of the Board of Auditors, Mr. Osei of Ghana, expressed satisfaction that appropriate remedial measures were underway or had been requested of the General Assembly. He noted significant improvements were made by way of better program disclosure, an improved payroll system, and better use of the improved skills of the internal audit staff. He added that prompt action by the General Assembly was needed for the Secretariat to act effectively on the Board's main recommendations.

On November 3, 1978, the General Assembly adopted by consensus resolution 33/10 on the reports of the Board of Auditors which, inter alia, called upon the Secretary General to implement the Board's proposals as quickly as possible and report to the 34th General Assembly the progress made in meeting the concerns expressed by the Board of Auditors.

## ASSESSMENTS

### Scales of Assessment

Following are the U.S. shares of the assessed budgets of the United Nations, the specialized agencies, and the IAEA for 1978 and 1979 (projected):



	<u>1978</u> Percent	<u>1979</u> Percent
UN	25.00	25.00
FAO	25.00	25.00
ICAO	25.00	25.00
IMCO	3.95	4.09
ITU	7.04	7.03
UNESCO	25.00	25.00
UPU	4.69	4.69
WHO	25.00	25.00
WIPO	5.19	5.00
WMO	23.46	23.58
IAEA	26.29	26.29

The General Assembly fixes the rates of assessment for members of the United Nations on the recommendations of the Committee on Contributions, 3/based upon national income statistics submitted by the member states. The assessment rates of the specialized agencies are determined by each agency and are in many, but not all, cases based on the UN scale.

#### Question of the Applicability of Article 19

The UN's Committee on Contributions, aside from advising the General Assembly on the rates of assessment to be fixed for member states has, as one of its functions, the responsibility of recommending to the General Assembly action to be taken regarding the application of article 19 of the UN Charter. This provision provides for the loss of voting rights in the General Assembly by a member state "if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding 2 full years."

During the debate on the Committee's report, in the Fifth Committee, the U.S.S.R., on September 29, stated that peacekeeping operations were not relevant in calculating arrears within the context of article 19. This interpretation, they contended, stemmed from the decision taken by the General Assembly in 1965 regarding the applicability of article 19 to peacekeeping expenditures.

On October 4 the Vice Chairman of the Committee on Contributions, Mr. Japhet Kiti of Kenya, reiterated the history of article 19 saying that peacekeeping did apply, having been upheld by the International Court of Justice in 1962 and accepted by the General Assembly by resolution 1854 (XVII) of December 19, 1962. He noted the dangerous tendency among member states to be selective in paying their contributions toward the expenses of the Organization and said that the refusal of some member states to contribute to the expenses of peacekeeping operations seemed to be based purely on political considerations.

At the same meeting, the U.S. Representative, Mr. Saddler,

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3/ The Committee is an expert body appointed by the General Assembly for 3-year terms. Richard V. Hennes of the United States was a member during 1978.

endorsed the position that the financing of peacekeeping operations was within the purview of article 19 and stated that the expenses authorized by the Assembly were "the legitimate obligation of member states."

On November 3, speaking for the UN Secretariat, the United Nations Controller, Helmut Debatin, quoted from the General Assembly decision of August 31, 1965, that "the question of the applicability of article 19 of the Charter will not be raised with regard to the United Nations Emergency Force and the United Nations Operation in the Congo." He stressed that the decision merely stipulated that the question would not be raised but did not contain an answer to the question. ✓

## INSTITUTIONAL MATTERS

### PROGRAM BUDGETING, COORDINATION, AND EVALUATION

The United Nations addressed the issues of program budgets, coordination of planning and administration, and evaluation of operational activities in a variety of forums. The work of the Committee for Program and Coordination--designated in 1976 as the main subsidiary organ of ECOSOC and the General Assembly for planning, programming, and coordination--and of the Joint Inspection Unit is described in sections that follow. The General Assembly, through its Fifth Committee, also focused on two reports prepared by the ACABQ, which were considered under the agenda item, "Administrative and budgetary coordination of the United Nations with the specialized agencies and the IAEA." They were discussed at eight meetings between October 23 and December 7.

The first report was an omnibus report on the budgets of the agencies. It included general observations and comparative tables on such subjects as contributions, scales of assessment, working capital funds, and regular budget funding of technical cooperation activities. In this report the ACABQ commented at length on the common tendency of the budgets to show significant increases in costs, programming, and size of international staffs as well as the growing practice of funding technical assistance activity from the regular budgets. The United States, along with numerous other member states, deplored the departure from the goal of zero net growth in the budgets and urged that technical cooperation activities be voluntarily funded and channeled primarily through the UNDP.

On December 5 the Fifth Committee approved by consensus a draft resolution, sponsored by Poland and Trinidad and Tobago, that (1) concurred with the observations and comments of the ACABQ; (2) requested the Secretary General to refer to the executive heads of the organizations of the UN system the pertinent matters in the report which required their attention; (3) transmitted the report to the Board of Auditors, the Panel of External Auditors, and the JIU for their information; and (4) requested the ACABQ in its future reports to emphasize budgetary developments in individual organizations which would be of potential interest to other organizations, and to

provide supplementary reports on specific problems common to the UN system as a whole. Resolution 33/142A was adopted by the General Assembly in plenary session on December 20, without a vote.

The second ACABQ report was "Administrative Coordination of Electronic Data Processing and Information Systems." In it the ACABQ recommended, inter alia, establishing compatibility among systems of the different agencies, forecasting long-term requirements within the UN system, load-sharing among systems of the several agencies, carrying out feasibility studies before initiating new information collection and storage systems or acquiring new hardware, and according sufficient attention to the sizable, long-term personnel costs inherent in the creation of any new system.

On December 7 the Fifth Committee approved by consensus a draft resolution sponsored by the Byelorussian S.S.R. that (1) approved the conclusions and recommendations of the ACABQ, (2) requested the Secretary General to "take such remedial action as may be necessary in the light of those conclusions and recommendations," and (3) transmitted the ACABQ's report to the Committee for Program and Coordination, in view of the latter's decision (see p. 268) to consider in depth the question of information systems at its session in 1979. The plenary General Assembly adopted resolution 33/142B without vote on December 20.

#### Committee for Program and Coordination

In 1976 the General Assembly decided that the 21-member CPC 4/ should be the main subsidiary organ of both ECOSOC and the General Assembly for planning, programming, and coordination. As a major component of its work the Committee alternates annually in reviewing the draft program budget and the draft medium-term plan. The medium-term plan is, inter alia, defined in resolution 31/93 as "the principal policy directive of the United Nations," stating the objectives to be attained in a 4-year period, describing the strategy to be followed, and giving an estimate of the necessary resources in overall terms and by major programs.

The CPC held its 18th session in New York in two parts: May 22-June 9 and August 28-September 27. The Committee elected by acclamation Peter Hansen of Denmark to serve as Chairman of the first session and, again by acclamation, André Pirson of Belgium as Chairman of the second session. Mr. Hansen relinquished the chairmanship upon his appointment to the post of Assistant Secretary General for Program Planning and Coordination.

The split session was decided on because of the inability of the Secretariat to provide the necessary documentation, particularly the draft medium-term plan, at the scheduled May session. The major items on the CPC agenda were: (1) the proposed medium-term plan for 1980-83, (2) evaluation reports prepared by the UN Secretariat and

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<sup>4/</sup> Members in 1978 were Argentina, Belgium, Brazil, Bulgaria, Burundi, Byelorussian S.S.R., Chile, Colombia, Denmark, France, Ghana, India, Indonesia, Japan, Kenya, Pakistan, Sudan, Uganda, U.S.S.R., United Kingdom, United States.



by the Joint Inspection Unit (JIU), and (3) cross-organizational reviews of UN system activities submitted by the ACC.

The Committee had great difficulty in coping with its far-reaching work program because of very late distribution of the documentation. Indeed, many sections of the medium-term plan were submitted so late that members had difficulty in giving them even a cursory review. As a result of this situation, the CPC by consensus adopted a resolution deploring the lateness of the submission and recommending that in the future ECOSOC insure that all requested documents be available to the Committee in all the official languages at least 6 weeks before the beginning of its session.

### Planning and Evaluation

The CPC had other problems with the medium-term plan. These included the extreme length and obscurity of some portions (the total draft plan ran to well over 1,000 pages), the failure of the drafts to incorporate the results of prior review by other relevant intergovernmental bodies, and the almost total lack of rank-ordering of proposed activities. Because of these factors, and in light of recommendations put forward by the JIU (see below), the Committee decided that it would, at its meeting in 1979, conduct an in-depth review of the planning process on the basis of two special reports: one to be prepared by the Secretary General, in cooperation with the organizations of the UN system, and the other to be prepared by the JIU.

The CPC considered four evaluation reports, three on UN program areas--ocean economics and technology, social development and humanitarian affairs, public administration and finance--and one on the system of programming and evaluation in the United Nations. The first two were internal evaluation reports prepared by the UN Secretariat, the latter two reports were by the JIU. The three reports on program areas varied widely in size, comprehensiveness, and clarity, though all provided useful compilations of the activities undertaken by the programs concerned. In general, the Committee members agreed that external evaluation studies were more objective than internal ones, particularly if the internal ones were carried out by the same units that implemented the programs.

Most of the Committee's discussions, however, concentrated on the JIU report concerned with the overall problems of programming and evaluation. Inspector Maurice Bertrand (France) noted that he had undertaken this general study because of the difficulties encountered in trying to evaluate the public administration and finance program. Many of these difficulties, he concluded, were system-wide rather than restricted to the program under study. He noted as general programming weaknesses that (1) subprograms lacked identifiable and precise objectives and target dates for their achievement; (2) neither inputs nor outputs were defined in sufficient detail; (3) programs were almost never fully implemented within prescribed target periods; (4) there was inadequate monitoring of program performance; (5) program objectives lacked built-in achievement indicators; and (6) there was no regularized means of using the results of evaluation exercises as guides for the future. Each of these perceived weaknesses in the programming system was elaborated, and recommendations for overcoming them were put forward.



Following a lengthy consideration of all the reports, the CPC in its report to ECOSOC and the General Assembly identified nine ways to improve future evaluation. Most of these derived from the JIU recommendations and reflected as well the Committee's difficulties with the medium-term plan. The Committee recommended that: (1) medium-term objectives should be more precise and specific; (2) there should be greater precision in the description of outputs; (3) estimates of inputs should be more precise; (4) steps should be taken to expand the use of the concept of clientele for various program outputs; (5) difficulties in developing achievement indicators should be overcome; (6) greater reliance should be placed on qualitative indicators; (7) there should be more versatility and flexibility in evaluation methodology; (8) methods for evaluating the effectiveness of technical cooperation activities should be developed; and (9) methods for insuring the objectivity of internal evaluation reports should be explored.

Although most of the JIU recommendations were generally acceptable to the Secretariat, considerable resistance was expressed to the key one of adopting time-limited objectives at the subprogram level in the medium-term plan. The Committee concluded, however, that there was agreement on the intent of the JIU proposal, and it therefore recommended that the Secretary General should test its feasibility on about a dozen selected programs and subprograms in the economic and social sectors in the draft medium-term plan for 1982-85. The following were selected: programs on population and statistics in the Department of International Economic and Social Affairs; program on statistics and subprogram on surveying, mapping, and international cooperation in cartography (of the natural resources and energy program) in the Department of Technical Cooperation for Development; programs on commodities and transfer of technology in UNCTAD; programs on policy coordination and industrial operations in UNIDO; subprograms on terrestrial ecosystems, oceans, energy, and supporting measures in UNEP; program on transnational cooperations in the Center on Transnational Corporations.

### Coordination

In an effort to improve system-wide coordination and to facilitate its ability to monitor program activities undertaken by more than one agency, the Committee made a number of recommendations to the ACC on the form and content of future cross-organizational program analyses. These revised guidelines called for (1) a condensed account of organizations' legislative interpretations of their mandates; (2) a broad indication of the level of resources committed by organizations to the activities in question; (3) an analysis of inter-organizational problems, with alternative solutions for the consideration of governments; and (4) an indication of areas where organizations should undertake joint planning and joint activities.

Of the three areas reviewed in 1978--information systems, application of science and technology for development, and economic cooperation among developing countries--the first was of greatest interest. The Committee noted with approval a report on the work of the Inter-Organization Board for Information Systems (IOB) and expressed the hope that the IOB would play an increasingly active role in coordinating UN information system activities. At the same

time, however, it noted the lack of information on the expenditures by organizations for computer and similar activities. Reaffirming the need for more effective coordination to minimize duplication and insure maximum utilization of available resources in this area, the Committee decided to continue its consideration of this problem at its next session in the light of reports still in preparation by the JIU and ACABQ and of additional financial information from the ACC.

### ECOSOC and General Assembly Action

Because of the CPC's delayed schedule, ECOSOC was able to review its report and the draft medium-term plan only briefly at its resumed second regular session in the fall of 1978. Without a vote ECOSOC adopted on November 8 decision 1978/84 that, *inter alia*, welcomed the report of the CPC, regretted that the text of the proposed medium-term plan had been submitted too late to permit its meaningful examination, approved the CPC's decision to study in depth the process of planning and programming, and decided to consider the medium-term plan for 1980-83 at one of its 1979 sessions "with a view to insuring that the policies laid down by the General Assembly and the Council were fully reflected in the plan."

The Fifth Committee of the General Assembly considered the CPC report primarily within the context of its agenda item on the medium-term plan at 10 meetings between November 9 and December 6. On the latter day it approved by a vote of 86 (U.S.) to 0, with 10 abstentions, a draft resolution sponsored by the "member states who are members of the Group of 77." This resolution ranged broadly over the medium-term plan, the work of the CPC, and various reports by the JIU over the last 2 years.

The resolution, *inter alia*, (1) took note of the medium-term plan and requested the Secretary General to use it in the light of comments by the CPC as the framework for the preparation of the 1980-81 program budget; (2) decided to consider at its next session, concurrently with the program budget, any recommendations the ECOSOC might make concerning the orientation to be given the programs of the organization; (3) welcomed the CPC's intention to conduct an in-depth study of the program planning process, expressed the wish that this study would "lead to a solution to the problems stemming from the late distribution of documents," and supported the CPC's recommendation whereby "the required documents should be made available at least 6 weeks prior to the beginning of each session"; (4) approved the recommendations of the JIU report on programming and evaluation as well as the CPC recommendations concerning a study by the Secretary General on the feasibility of establishing time-limited objectives for subprograms; (5) approved the recommendations of the JIU reports on evaluation in the UN system (a report prepared in 1977) and on public administration and finance, as commented on by relevant UN bodies; (6) endorsed recommendations of the ACABQ and CPC on the content of various portions of future medium-term plans; and (7) requested the Secretary General to provide the CPC with "the necessary technical and substantive services in order that it may be able to fulfill its increased responsibilities and, in particular, carry out the program of work it has set itself for 1979."

The General Assembly adopted resolution 33/118 in plenary session on December 19 by a recorded vote of 122 (U.S.) to 0, with 11 abstentions.

### Joint Inspection Unit

The 31st General Assembly in 1976 adopted a permanent statute for the JIU (effective January 1, 1978) that established its functions and relations with the Assembly and those specialized agencies and other international organizations within the UN system which accepted the statute. The 11 Inspectors 5/are accorded the broadest powers of investigation in all matters having a bearing on the efficiency of the services and the proper use of funds. They are authorized to provide an independent view through inspection and evaluation in order to improve management and methods and to achieve greater coordination between organizations.

In 1977 the 32nd Assembly strengthened the JIU's staff by authorizing 9 additional posts (3 at the professional level and 6 at the general service level), raising total authorized staff support for the Unit during the 1978-79 biennium to 21.

FAO, ICAO, ILO, IMCO, UPU, and WHO had accepted the statute in 1977, and during 1978 the IAEA and UNESCO approved it. There were some reservations and statements of interpretation in connection with the acceptances, but the functional mandate of the JIU was unaffected by them.

The JIU continued during 1978 its broad program of independent studies that took into account the suggestions of participating organizations. Reports on evaluation and programming were considered by the CPC and the Fifth Committee of the 33rd General Assembly (see above, pp. 268 and 270). Other reports, on the role of experts in development cooperation, aspects of backstopping technical cooperation activities in the UN system, and agency overhead costs, were considered by the UNDP. Still others, on women in the professional category and higher in the UN system and on general service staff of the United Nations and Geneva-based specialized agencies, were considered by the Fifth Committee during its consideration of personnel questions.

A study of particular interest to the United States was the "Report on the Implications of Additional Languages in the UN System." In this report the JIU considered, as well, the better use of existing language services. Emphasizing that such services are quite expensive, the JIU recommended, *inter alia*, keeping all services to a minimum, adopting a user-pay policy as an incentive to restricting proliferation, remaining flexible toward the variety of services offered, and establishing common services among the specialized agencies. It also suggested that questions relating to the provision of language services at meetings should be referred to the Committee on Conferences.

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5 / Appointed by the General Assembly for 5-year terms. Earl D. Sohm of the United States is an Inspector.



The report was discussed at three meetings of the Fifth Committee during which the United States supported the conclusions and recommendations of the JIU. In general, there seemed to be agreement that no further languages should be added, but there was strong reluctance to cut back the use of any of the languages already adopted.

The General Assembly, on the recommendation of its Fifth Committee and without a vote, took note of the report on December 21. (Decision 33/443.)

## UN RESTRUCTURING: ECONOMIC AND SOCIAL SECTORS

The General Assembly in 1977 had approved without a vote a comprehensive resolution, 32/197, on restructuring the economic and social sectors of the UN system. This extensive set of conclusions and recommendations for improving the structure and performance of the United Nations and its associated organizations was a major focus of Secretariat attention during 1978. Activity engendered by the resolution included the filling of the new and important post of Director General for Development and International Economic Cooperation, a major reorganization of the UN Secretariat, examination of criteria for designating a single official to coordinate UN development assistance at the country level, inauguration of a single pledging conference to replace numerous separate organizational efforts, introduction of cross-organizational analyses to be reviewed by the Committee for Program and Coordination, enhancement of the role of the regional economic commissions, and restructuring of the work of the Administrative Committee on Coordination.

The scope of the measures taken to implement the resolution promises to bring about the improvements and economies envisioned by those who worked for over 2 years on the restructuring proposals. These measures address important mechanisms and concepts which influence the performance of the UN system.

On March 14, 1978, the Secretary General appointed Kenneth K. S. Dadzie, former Ambassador of Ghana to the United Nations, as the first Director General for Development and International Economic Cooperation. Mr. Dadzie took up his duties on April 24. The Director General will assist the Secretary General in discharging his responsibilities as chief administrative officer in the economic and social fields. He is charged with insuring the provision of effective leadership to the various components of the UN system in the areas of development and international economic cooperation and with exercising overall coordination to provide a multidisciplinary approach to development problems on a system-wide basis. He is also to insure "the coherence, coordination, and efficient management of all activities in the economic and social fields financed by the regular budget or by extrabudgetary resources."

In one of his first undertakings under this broad mandate, Mr. Dadzie set forth proposed criteria for the designation within each country receiving material or technical assistance through the UN system of a single official to "exercise team leadership and be responsible for evolving, at the country level, a multidisciplinary dimension in sectoral development assistance programs." Entitled Resident Coordinator, this official will perform the functions



formerly assigned to the UNDP Resident Representative and will as well be responsible for the "coherence of action and effective integration" of the programmatic activities of the UN system in each country. The standard form of designation was discussed and approved in the ACC.

On November 7-8 the Secretary General convened the first joint UN Pledging Conference for Development Activities. More than \$770 million was pledged for 14 funds and programs (including UNDP, UNICEF, and the UN Fund for Population Activities). This joint conference was not only a practical and cost-saving approach, but also a useful mechanism for presenting to governments a comprehensive picture of all relevant UN activities. The results were successful in terms of both organizational rationalization and the level of pledges. Some governments chose the occasion to announce multi-year pledges, thus enhancing the important elements of predictability and continuity in regard to the provision of financial resources.

An extensive reorganization of key elements in the UN Secretariat was carried out during the year to bring about a redeployment of resources, a reallocation of functions, and integration of support services for the work of intergovernmental bodies. The new organizational units created by the Secretary General in response to the expressed wishes of the General Assembly are the Department of International Economic and Social Affairs, the Department of Technical Cooperation for Development, and the Office of Secretariat Services for Economic and Social Matters.

The purpose of these new "clusters" of organizational functions is, respectively: (1) to bring together the activities of interdisciplinary research and analysis on the one hand, and cross-sectoral analysis of programs and plans on the other, so as to mobilize and integrate the inputs of expertise of the organizations of the UN system; (2) to support technical cooperation activities not covered by other UN bodies and managing the technical assistance carried out by the United Nations itself; and (3) to combine all technical secretariat services for the CPC, ECOSOC, General Assembly, ad hoc conferences, and intersecretariat coordination machinery.

In addition to interdisciplinary development research and policy analysis, the Department of International Economic and Social Affairs is responsible for program planning and coordination--including formulation of the medium-term plan and program budgets--and for social development and humanitarian affairs.

The 1977 resolution on restructuring also provided for a decentralization of activity and a transfer of responsibilities from UN headquarters to the regional commissions. During the year, numerous measures were taken to permit the commissions to function as the principal general economic and social development centers within the UN system for their respective regions. To permit the commissions to assume greater and broader responsibilities, the Secretary General instituted measures involving a reallocation of positions from headquarters to the field and a redistribution of funds. These measures are consistent with the policy of effecting improvements and changes within current budgetary resources.

The ACC carried out an internal reorganization during the year

to bring greater efficiency to its activities. Initially, the ACC absorbed the responsibilities of the Environment Coordination Board of UNEP, the Inter-Agency Consultative Board of UNDP, and the Advisory Committee of UNIDO. A number of specific program coordinating functions were also assigned to the ACC as a result of decisions and requests of various intergovernmental bodies. These related to a wide variety of areas, including economic cooperation among developing countries, the exchange of information, and the transfer of technology.

In a report to ECOSOC the ACC said that it expected to employ "inter-agency cooperation to avoid duplication, harmonize approaches, fill program gaps, and generally ensure that the relevant activities are complementary and mutually supportive." The restructuring of its internal machinery is designed to permit it to improve its development of a multidisciplinary approach to its responsibilities.

The ACC discontinued its Preparatory Committee, most of its 15 standing bodies, 9 meetings or groups convening periodically, 4 temporary bodies, and a number of ad hoc meetings. While retaining its Consultative Committee on Administrative Questions (CCAQ) it established a parallel Consultative Committee on Substantive Questions (CCSQ) and an Organizational Committee. It also retained permanent subsidiary bodies in the areas of statistics, nutrition, and public information.

The Organizational Committee will "ensure the most effective organization for the work of the ACC and its subsidiary bodies." To this end, participation will be "at the level of senior officials empowered to commit their respective organizations" on matters before the Committee. Administrative and financial matters are addressed by the CCAQ, which divides its tasks between a subgroup handling personnel and another handling finance and budgets. The Consultative Committee on Substantive Questions likewise has two subcommittees, one concentrating on programs, the other on operations. The CCSQ seeks to promote correlation of research on and analysis of developmental issues. It also aims at harmonizing the programs and plans of the several specialized agencies operating in the economic and social fields. Additionally, it studies and seeks improvement of the performance of the appropriate program coordination functions.

The 33rd General Assembly reviewed reports submitted by the Secretary General on numerous aspects of the restructuring exercise during 1978 and, on the recommendation of the Second Committee, adopted on January 29, 1979, an omnibus resolution, 33/202, on the subject without a vote. In this lengthy resolution the Assembly, inter alia, (1) endorsed the responsibilities of the Director General, affirming "his authority over all services and organs within the United Nations at the level of the secretariats in the economic and social sectors"; (2) decided that the regional commissions should have the status of executing agencies for appropriate intercountry development projects, and urged the Secretary General to hasten decentralization to the commissions of appropriate research and analysis activities relating to regional development; and (3) requested the ACC to give the highest priority to substantive questions of central importance to development and international economic cooperation while keeping its ad hoc subsidiary machinery to the "absolute minimum necessary" to meet its responsibilities.

## UN ADMINISTRATIVE MATTERS

### COMMITTEE ON CONFERENCES

The 32nd General Assembly established the Committee on Conferences 6 on a permanent basis, giving it a mandate to provide the General Assembly with advice concerning current and future requirements of the Organization for conference services, and to improve coordination of conferences within the United Nations system. Further, the Committee on Conferences is required to act on behalf of the General Assembly in dealing with departures from the approved calendar of conferences that have administrative and financial implications, and to recommend to the Assembly means to provide the optimum apportionment of conference resources, facilities, and services.

The Committee, which is in permanent session, met 17 times between January 4 and June 2, 1978. During this period its attention was devoted to control and limitation of documentation and utilization of conference resources. The Committee found that there was a sound basis for complaints concerning the use of resources, e.g., high rate of meeting cancellations, increased demands of informal and regional group meetings for services, laxity in punctuality, and frequent recourse to overtime.

With regard to documentation, a major problem was late submissions. Accordingly, the U.S. Representative pressed successfully for inclusion in the Committee's recommendations to the Fifth Committee of a requirement that all presession documents be distributed not less than 6 weeks prior to the meeting for which they were intended. Should such a deadline prove impossible to meet, the Secretariat would be obliged to explain why.

The Fifth Committee considered the report of the Committee at several meetings between October 19 and November 10. The foregoing suggestions were recommended by the Fifth Committee to the General Assembly and adopted as resolution 33/56 without a vote by that body on December 14.

During the Fifth Committee's discussion of other recommendations and draft resolutions contained in the report of the Committee on Conferences, the U.S. Representative, William J. Cunningham, stated that demands for conference services were exceeding the UN's capacity to meet them, and that member states are strained to meet the UN conference schedule. He called for renewed consideration of an arbitrary limit on meetings.

Additionally, the U.S. Representative called for inclusion in the Fifth Committee's report of the Committee on Conferences' recom-

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6 / Members during 1978 were Algeria, Austria, Canada, Chile, Czechoslovakia, Egypt, France, Honduras, Indonesia, Ivory Coast (which replaced Tunisia on March 22), Japan, Kenya, Mexico, New Zealand, Nigeria, Peru, Philippines, Sri Lanka, U.S.S.R., United Kingdom, United States, and Yugoslavia.



mendations concerning pre-meeting organization of work sessions, increased use of informal as opposed to formal meetings (thereby reducing the need for translation/interpretation services), and over-booking of meetings (to compensate for cancellations). These recommendations were subsequently incorporated into the Fifth Committee's report to the General Assembly, and were adopted as resolution 33/55 on a consensus basis by that body on December 14, 1978.

## UNITED NATIONS ACCOMMODATIONS

The 33rd UN General Assembly considered and took action on four items relating to UN accommodations at various locations.

### Expansion of UN Headquarters Facilities

At five meetings between November 21 and December 8, 1978, the Fifth Committee considered at length a report of the Secretary General and a related report of the ACABQ on the expansion of meeting rooms and delegate facilities at the UN Headquarters in New York. The major problem dealt with in these reports was the need to improve catering facilities. (Both the 31st and 32nd sessions of the General Assembly had recognized this need but deferred action pending more information.) The Fifth Committee concurred with the recommendation of the Secretary General and ACABQ that a new two-story building be constructed in the South Garden of the Headquarters site to provide cafeteria and kitchen facilities, which would release present cafeteria space for expansion of the delegates' dining facilities. A byproduct would be the availability of space in the basement of the new building for language classrooms now on the 39th floor.

The Fifth Committee also recommended the approval of a 1978-79 regular budget supplemental estimate in the amount of \$421,000 as initial funding for the new construction, the total cost of which was estimated at \$7.6 million. The General Assembly on December 21, 1978, confirmed the Fifth Committee action on construction in decision 33/442 (which, technically, concurred with the ACABQ report). The vote was 113 (U.S.) to 13, with 10 abstentions.

### UN Office at Geneva

The Secretary General in a report on the UN office at Geneva recommended that an appropriation of \$81,000 in the 1978-79 budget for renovating the villa "Les Feuillantines," currently being used as a residence by the Director General of the UN office, be increased to \$107,800. He further recommended that these funds be used instead to renovate a villa, "La Fenetre" (recently used for office quarters by GATT), as a "more attractive and desirable" as well as larger residence for occupation by the Director General at nominal rent. He also recommended that "Les Feuillantines" be sold. The ACABQ recommended against the Secretary General's proposal as uneconomical and contrary to the accepted policy of UN agencies of not providing housing for senior officials. The United States initially supported the ACABQ report in the Fifth Committee, but based on considerations raised by the U.S. Mission in Geneva sub-



sequently did not object to a consensus action which largely approved the Secretary General's proposal. Mr. Saddler, however, stated that the United States believed: (1) the estimated cost of \$117,000 was a unjustified use of scarce resources; (2) the cost would undoubtedly rise above the estimate; (3) rent should be established at a fair figure not less than 25% of the Director General's net annual salary and post adjustment; (4) this provision of a UN residence for a senior UN official should in no way be construed as a precedent; and (5) UN employees should not be used for personal services at the residence. The General Assembly approved the recommendation of the Fifth Committee on December 19, 1978, by adopting without vote resolution 33/116 A, Sec. V

#### Accommodation at Nairobi

The Fifth Committee on November 3 and 8 considered a report by the Secretary General on the status of construction of a United Nations building in Nairobi, approved by the 32nd General Assembly, which will be occupied largely by the UN Environment Program. Construction is proceeding on schedule, and the building is expected to be occupied in 1982. The Secretary General also proposed to defer until the 34th General Assembly the submission of a report on the possible construction of additional office space in Nairobi for the United Nations Center for Human Settlements (Habitat). The Chairman reported orally that the ACABQ accepted the Secretary General's report. The Fifth Committee decided without objection to recommend to the General Assembly that it take note of the Secretary General's report, and on December 21, 1978, the Assembly accepted the recommendation by adopting without objection decision 33/441.

The United States had taken the position at the 32nd General Assembly that new construction in Nairobi was an unnecessary expenditure of scarce expenditures in view of available building space. Accordingly, had the issue of another construction project for Habitat come to a vote, the United States would not have given its support.

#### Accommodation at the Donaupark Center in Vienna

The report of the Secretary General and the related report of the ACABQ on this subject were considered by the Fifth Committee at four meetings from December 15 to 19, 1978. In his report the Secretary General noted developments relating to space utilization in the Donaupark complex, which the Austrian Government rents to the United Nations for 1 schilling per year. As a consequence of these developments, primarily the requirement of the IAEA for more space and the move to Vienna of elements of UNRWA, when the already designated United Nations units in New York and Geneva move to Vienna in July 1979, available space will be almost entirely utilized. Accordingly, moves of United Nations units to Vienna additional to those authorized previously and scheduled to be completed mostly in 1979, will not be required at this time. The impact of the ACABQ report was to reduce the Secretary General's estimate of costs relating to the opening of the Vienna International Center for which provision had not already been made in the 1978-79 budget to \$1,181,700.

The Fifth Committee decided to recommend to the General Assembly a draft resolution reaffirming resolution 31/194 (which established the United Nations Center in Vienna and provided for the move of United Nations units to it), requesting appropriate implementation by the Secretary General, and approving the ACABQ appropriation recommendation. On December 21, 1978, the General Assembly adopted the draft as resolution 33/181 by a vote of 126 (U.S.) to 0, with 11 abstentions.

#### INTERNATIONAL CIVIL SERVICE COMMISSION

The 15-member International Civil Service Commission <sup>7</sup>/held two sessions in 1978: its seventh, at UN Headquarters in New York from February 27 to March 17, and its eighth, at UNESCO Headquarters in Paris from July 3 to July 28.

Topics examined by the Commission included questions relating to the "Noblemaire comparison" between United Nations and United States civil service remuneration; end-of-service entitlements; university education grants; special education grants for disabled children; dependency allowances; conditions of field staff; and general service salary scales. The Commission also examined two questions which, because of the world economic and monetary situation, required urgent attention: the effect on the salary system of currency instability, particularly the depreciation of the U.S. dollar, and the level of pensionable remuneration. The Commission agreed to devote its main attention in 1979 to the latter problem, which affects not only the level of pension benefits but also the amounts that staff members and organizations must contribute to the pension fund.

The Fifth Committee of the General Assembly considered the annual report of the Commission at eight meetings between November 13 and December 9. On the latter date, it approved by a vote of 74 (U.S.) to 0, with 11 abstentions, an omnibus draft resolution. Although the United States did not favor all parts of the resolution, it joined 18 other states as a cosponsor because of the importance of a section dealing with grade equivalencies between the UN common system and the comparator national civil service--the U.S. Civil Service--in order to determine the proper equivalent grades in the comparator system for the UN grades of D-2 and above and to report its findings to the 34th Assembly.

The Assembly urged the competent authorities of all organizations of the UN common system to refrain from actions that do not contribute to the strengthening and development of the common system. It requested the Secretary General and the members of the ACC to study the feasibility of establishing a single administrative tribunal. It also called upon member states to insure that their representatives in the governing organs of the specialized agencies do not take positions on matters of concern to the common system that conflict with those they take in the UN General Assembly.

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<sup>7</sup> / Ersä H. Poston of the United States is a member of the Commission.

In other provisions, the Assembly authorized the extension of the university education grant to cover eligible children who attend college or university at the staff member's duty post. The maximum age eligibility limit was changed from 21 years to the end of the fourth year of the post-secondary studies or the award of the first recognized degree, whichever comes first. It also approved the extension of the provision of the education grant to include specified reimbursements of the expenses incurred by staff members for the special education of their disabled children. The Assembly also asked the Commission to restudy its proposals for an end-of-service grant for fixed-term appointees and for extension of assignment allowance eligibility for field service staff from 5 to 7 years.

The Assembly expressed the hope that the Commission would progressively assume the function mandated in its statute concerning job classification, recruitment, and career development. It also approved the Commission's intention to keep under review the effects of currency instability on salaries and allowances and to examine, in cooperation with the UN Joint Staff Pension Board, methods of establishment and adjustment and the appropriate level of pensionable remuneration.

On December 19 the General Assembly in plenary session adopted the resolution recommended by the Fifth Committee by a recorded vote of 126 (U.S.) to 0, with 10 abstentions. (Resolution 33/119.)

#### PERSONNEL QUESTIONS

The Fifth Committee of the 33rd General Assembly considered personnel questions at 19 meetings between October 4 and December 14 and recommended a resolution dealing with the composition of the Secretariat which was subsequently adopted by the General Assembly with one amendment.

The resolution was drafted by a Working Group on Personnel Questions which held 18 meetings between October 21 and December 3. Part I of this four-part resolution requested the Secretary General to adopt the following measures and guidelines in the recruitment of professional staff: (1) issue bulletins on upcoming vacancies; (2) publicize recruitment needs; (3) improve the composition of the roster of candidates; (4) encourage professional staff to work in more than one duty station; (5) make available to the General Assembly the overall results of the staff performance review; (6) define occupational groups and draw up standards for entry, promotion, and rotation of staff; (7) limit the movement of General Services Staff to the professional category to 25% of the P-1 and P-2 level posts available; and (8) select staff at the P-1 and P-2 level by competitive methods which are objective and take into account the cultural and linguistic diversity of the membership.

Part II reaffirmed that no post should be considered the exclusive preserve of any member state or group of states and requested the Secretary General to (1) establish a target of 40% of the vacancies in professional posts subject to geographic distribution during 1979-80 for the appointment of nationals of under-represented and under-represented countries; (2) apply the mandatory retirement regulations; (3) increase the representation of developing



countries at senior and policymaking levels during 1979-80; (4) reduce the average age of staff at the P-1 and P-2 levels to 35; and (5) continue to provide necessary facilities to the Panel to Investigate Allegations of Discriminatory Treatment in the Secretariat.

Part III, which was largely initiated by the United States, dealt with the employment and treatment of women. It requested the Secretary General to increase the number of women in posts subject to geographic distribution to 25% of the total over a 4-year period and requested the other UN organizations to establish targets for the employment of women. The Secretary General and the other organizations were also requested to insure that women are fairly represented in personnel advisory and administrative boards; review recruitment literature, publicity, promotion procedures, internal training programs, and staff rules to insure that men and women enjoy equal opportunity for promotion and career development; and review and revise staff rules and procedures covering assignments of married couples to the same duty station, maternity leave, part-time employment, and flexible working hours.

Part III also invited the ACC to review the situation regarding recruitment and career development opportunities for women in the secretariats and submit periodic reports and specific proposals on the subject to the General Assembly, and called on member states to assist in increasing the proportion of women in the organizations by nominating more women candidates. The JIU was requested to continue to study and report on this subject.

Part IV requested the Secretary General to establish the entrance level qualifications and maximum levels of grades for various occupations in the General Service category at Geneva on the basis of equivalency with those in New York and to complete the classification of General Service posts at Geneva by April 30, 1979, and to implement the recommendations of the JIU designed to improve the efficiency of recruitment and effectiveness of work of the General Service category in Geneva.

Resolution 33/143 was adopted by the Assembly on December 20 by a vote of 132 (U.S.) to 0, with 10 abstentions. The only difference between the draft resolution recommended by the Fifth Committee and the resolution adopted by the Assembly was that in the latter, the limitation on the movement of General Service staff to the professional category was raised from 25% to 30%.

Also on December 20, the Assembly adopted, without objection, the draft decision of the Fifth Committee to incorporate the following text into the Staff Regulations: "No salary shall be paid to staff members in respect of periods of unauthorized absence from work unless such absence was caused by reasons beyond their control or duly certified medical reasons." (Decision 33/433.)

#### UN Pension System

The Fifth Committee of the 33rd General Assembly considered the UN pension system at 10 meetings between November 21 and December 5, 1978, and recommended two resolutions which were subsequently adopted by the General Assembly.



## Report of the UN Joint Staff Pension Board

On December 19, following Committee approval on December 5, the Assembly adopted resolution 33/120 on the pension adjustment scheme and other matters arising out of the Pension Board report by a vote of 129 (U.S.) to 0, with 10 abstentions.

The resolution revised, effective January 1, 1979, the system of adjustment of pension benefit payments contained in Assembly resolution 3354 (XXIX) and related resolutions, in accordance with the recommendations contained in the report of the Pension Board.

The revised system of pension adjustment is intended to insure that a periodic benefit payable by the Fund should never be allowed to fall below the "real" value of its U.S. dollar amount, as determined under the regulations, and to preserve its purchasing power as initially established in the currency of the recipient's country of residence. The "real" value of a U.S. dollar amount is that amount adjusted over time for movements of the U.S. Consumer Price Index, while the purchasing power of a recipient's benefit, once established in local currency, is preserved by adjusting it to follow movements of the Consumer Price Index in his country of residence. Thus, the operation of the system will involve keeping a record of two amounts for each beneficiary: first, in U.S. dollars, which will be adjusted periodically to reflect changes in the U.S. Consumer Price Index; and second, in local currency, which will be adjusted periodically to reflect changes in the Consumer Price Index in the beneficiary's country of residence. To determine the amount which will be payable as a pension from the date of its commencement and thereafter, the dollar amount as initially determined in U.S. dollars--and, if applicable, later adjusted to reflect changes in the U.S. Consumer Price Index--will be converted to a local currency equivalent by using the exchange rate in effect for the preceding month. It will then be compared to the local currency amount as initially determined in local currency and, if applicable, later adjusted to reflect changes in the Consumer Price Index in the beneficiary's country of residence. The beneficiary will be entitled to the greater of these two amounts until the next adjustment date.

The Assembly also concurred in the agreement approved by the Pension Board with the Government of Canada, with respect to continuity of pension rights between that Government and the Fund.

The U.S. Representative, speaking in the Fifth Committee on November 29, expressed support for the new system of pension adjustments on the condition it be reexamined, if necessary when the 34th General Assembly reviews the results of the Joint ICSC-Pension Board study on the question of pensionable remuneration. The United States also supported the agreement entered into with the Canadian Government on the basis of the Pension Fund Secretariat's assurances that neither the fund nor the individual concerned will gain nor lose financially therefrom. The Pension Board's recommendation to increase the interest rate from 3.25% to 4% for calculating the commuted value of one-third lump sum pension payments was endorsed by the United States on condition that the Pension Board keep the question under continuing consideration and report to the 34th General Assembly.

In light of the Fund's reported actuarial deficit of \$211 million the United States expressed the view that lump sum pension commutations should be limited to the participant's contributions to the fund and that retirees' pension benefits be reduced to help cover the cost for providing survivor benefits in the same way that U.S. pension benefits are reduced for similar coverage.

#### Investment of UN Pension Fund

The General Assembly, on December 19 on the recommendation of the Fifth Committee, adopted resolution 33/121 dealing with investment of the UN Pension Fund.

Section A of the resolution, which was adopted by a vote of 115 to 18 (U.S.), with 6 abstentions, is an amended Cuban proposal requesting the Secretary General, in consultation with the Investments Committee, to redouble his efforts to insure that the resources of the Pension Fund are reinvested in developing countries to the greatest extent practicable, subject to careful observance of the requirements of safety, profitability, liquidity, and convertibility, and in conformity with Pension Fund regulations. Prior to its adoption the Cuban proposal was amended by new wording submitted by Mexico intended to assure that the interests of the Pension Fund are paramount and that the Cuban proposal should not be construed as a massive disinvestment in existing assets but, rather, a gradual investment in developing countries.

In explanation of vote, after the vote in the plenary Assembly, the U.S. Representative termed the Cuban proposal unjust, unclear, unnecessary, and an attempt to politicize the Pension Fund whose assets belonged to the staff participants. He noted that the Controller of the United Nations had warned that the Cuban proposal would require selling holdings at a loss in order to reinvest in developing countries.

Section B of the resolution, which was adopted without vote, requested the Secretary General to intensify contacts and inquiries with institutions and governments in Africa with a view to increasing substantially the amount of Fund assets invested in Africa, under safe and profitable conditions. The Secretary General was requested to report on the matter to the 34th General Assembly.

#### Compensation for Officials, Other than Secretariat Officials, Serving the General Assembly

On December 16, the Fifth Committee approved by a vote of 75 to 0, with 9 abstentions, a draft resolution, which provides an annual compensation of \$55,000 to the two full-time Commissioners of the International Civil Service Commission and the Chairman of the ACABQ, with an additional allowance of \$5,000 for the Chairmen of the Commission and the ACABQ, effective January 1, 1979. It further directs that the compensation of these officials continue to be reviewed every 4 years or when the consumer price index in the United States has risen by 10% since the last review, whichever comes first.

The General Assembly adopted resolution 33/116 B, Sec. VIII, by

a vote of 125 (U.S.) to 0, with 9 abstentions, on December 21, 1978.

### Comprehensive Study of the Question of Honoraria

The Secretary General's report on the question of honoraria was considered by the Fifth Committee at two meetings on January 23, 1979, during the Assembly's resumed session. During discussion of the matter, the U.S. Representative voiced opposition in principle to payments of honoraria because they are not precisely related to the value of services performed, and because of the short- and long-term implications their increased use would have for the UN budget. He said that certain statements in the factual presentation of the Secretary General's report were misleading, that the current situation with regard to honoraria was unsatisfactory, and that more information was needed before the Assembly should take further action on this controversial and sensitive subject. To insure that this would be possible, the United States successfully sought an adjournment of debate on the item under consideration, deferring consideration of the honoraria question until the 34th General Assembly.

### EMPLOYMENT OF AMERICANS

The total number of professional employees serving in posts subject to geographic distribution in the United Nations, and the specialized agencies of which the United States is a member, was 6,543 at the end of 1978. At the end of 1977 the number was 6,372. The number of U.S. nationals was 921 (14.45%) in 1977 and 949 (14.50%) in 1978.

During this period, the number of Americans in the UN Secretariat increased from 503 to 520, but the percentage of Americans decreased from 19.17% to 18.87%. The total number of women professionals in posts subject to geographic distribution in the Secretariat was 508, of whom 158 (31.10%) were American.

In the specialized agencies, the percentage of Americans increased in ICAO, IMCO, WHO, and IAEA, remained the same in UPU, and declined in FAO, ITU, UNESCO, WIPO, and WMO. For the most part the changes were minimal, representing the gain or loss of less than one percentage point.

The number of experts employed by the United Nations and the other agencies increased from 6,010 at the end of 1977 to 7,484 at the end of 1978. The number of American experts increased from 539 (8.96%) to 622 (8.31%).

With respect to Americans in senior posts, John Hannah retired as Executive Director of the World Food Council and was replaced by Maurice J. Williams. In UNHCR, Charles Mace retired as Deputy High Commissioner for Refugees and was replaced by Dale S. de Haan. In IFAD, Philip Birnbaum was appointed as Vice President.





## APPENDIXES

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APPENDIX I: ADDRESS BY VICE PRESIDENT MONDALE TO REPRESENTATIVES TO THE UNITED NATIONS IN THE UN SPECIAL SESSION ON DISARMAMENT ON MAY 24 AND ADDRESS BY SECRETARY VANCE BEFORE THE 33D REGULAR SESSION OF THE UN GENERAL ASSEMBLY

## **U.N. Special Session on Disarmament Convenes**

*U.S. address to the special session delivered by Vice President Mondale on May 24.*

I am honored to represent the President of the United States at this Special Session on Disarmament of the U.N. General Assembly. The nations of the world are gathered here today to pursue the most vital and solemn obligation of the U.N. Charter—"to save succeeding generations from the scourge of war."

We meet today at the initiative of the nonaligned states. These nations, comprising the bulk of the world's people, are particularly aware of the helplessness and hopelessness spawned by the arms race. I salute them for calling us together to confront this challenge.

And we applaud, as well, the dedication and contribution of the many nongovernmental organizations represented here. The arms race touches the lives of every man, woman, and child in the world. The control of arms is too crucial to leave to a few governments or even all governments alone. You are our conscience and our inspiration.

My beloved friend, Hubert Humphrey, was one of the earliest voices calling for arms control and disarmament. He spoke of the challenge we face today. He said:

Ours is a new era, one which calls for a new kind of courage. For the first time in the history of mankind, one generation literally has the power to destroy the past, the present, and the future; the power to bring time to an end.

And if we do not curb the arms race, we not only threaten the future, we impoverish the present.

While the people of the world cry for food and shelter, for medicine and education, the vast resources of our planet are being devoted more and more to the means of destroying, instead of enriching, human life. The global cost of arms has reached \$400 billion a year. The world is spending almost \$1 million a minute for weapons. Over 20 million men and women are in military service around the world.

No world leader, no parent, and no individual on this Earth can live securely in the shadow of the growing world arsenal. But in the face of that mounting danger, this conference is a symbol of hope. This Special Session on Disarmament of the U.N. General Assembly offers hope of greater progress toward disarmament and a world

in which the threat of war is vastly diminished and the security of each nation more fully insured.

### **U.S. Commitment**

The United States attaches major importance to the work of this conference. Last October, President Carter made a special trip to the United Nations to emphasize America's strong commitment to arms control and disarmament. He stressed our willingness to work toward a world truly free of nuclear weapons. He pledged our total commitment to reversing the buildup of armaments and reducing their trade.

Since that time, the United States has been engaged in the broadest set of arms control negotiations in our history. Together with our negotiating partners, the United States has developed an agenda more extensive than any nation has ever attempted. We are taking concrete actions in 10 different areas—from nuclear weapons accords, to regional restraint, to limits on conventional and unconventional arms such as antisatellite and radiological weapons. Before too long, the United States expects to take part in two historic achievements.

- For the first time since the dawn of the atomic era, we will reach an agreement to reduce the combined total of strategic nuclear weapons delivery vehicles of the Soviet Union and the United States.

- After two decades of negotiations, we will produce a comprehensive test ban controlling nuclear explosions by the United States, the United Kingdom, and the Soviet Union.

The United States welcomes this opportunity to review what is being accomplished, to chart our course for the years ahead, and to rededicate ourselves to further success.

### **Assuring Security Needs**

We are here to listen to the voices of other nations, as well as to raise our own in behalf of arms control and disarmament. For this session is a part of a process in which all of us must work together, in a spirit of openness and mutual respect. As President Kennedy once said: "Genuine peace must be the product of many nations, the sum of many acts."

To avoid a world a decade hence in which three-quarters of a trillion dollars is spent on arms, in which there

are more nuclear-weapons states, we must have a program that is visionary in concept and realistic in action.

Realism requires that we face squarely the central issue of the arms race—the concern of each nation and government for the security of its people. If the arms race were driven by madmen, there would be no hope. Controls would be beyond the reach of rational discourse. Irrational forces no doubt play a part, but the arms race is driven by other considerations as well—technology, international tensions, legitimate security concerns.

The prudent policy of any nation must include both sufficient military preparedness and arms control efforts—if its security is to be assured. In the short run, no nation can be asked to reduce its defenses to levels below the threats it faces. But without arms control among nations, in the long run weapon will be piled on weapon with a loss in security for all.

These meetings at the United Nations and the NATO summit next week in Washington [May 30–31] dramatize the determination of the United States to take every step possible toward greater arms control while at the same time assuring essential security needs.

Today, our defense budget is no larger in real terms than in the late 1950's and less than it was a decade ago. But other nations have increased their military budgets in real terms by more than one-third over the past decade.

We and our NATO allies are strong, and we will remain strong to provide for the defense of our peoples. But we face a continuing buildup of unprecedented proportions in Europe. The Warsaw Pact has developed an almost three to one advantage in tanks. The SS-20 nuclear missile now being deployed against Western Europe is a new departure in destructive power and represents a substantial increase in the nuclear threat of the Soviet Union.

The NATO summit meeting next week in Washington will recommit the Western democracies to a military posture capable of deterring and defending against attacks. We will remain prepared to resist attack across the spectrum of conventional, tactical nuclear, and strategic forces. In the face of the continuing buildup of Warsaw Pact forces, we will moderately increase the defense budgets of our nations. We do so not from preference but necessity.

At the same time, the NATO summit will reaffirm and re-emphasize the

commitment of the West to the other dimension of our common security policy—the pursuit of arms control. We will address the arms control initiatives the West has recently taken and will continue to take. We will offer our continued strong support for the success of the special session.

In his Day of Peace message this January, His Holiness, Pope Paul, in effect, spoke of the work of this special session. He said:

... the conscience of the world is horrified by the hypothesis that our peace is nothing but a truce and that an uncontrollable conflagration can be suddenly unleashed.

We would like to be able to dispel this threatening and terrible nightmare by proclaiming at the top of our voice the absurdity of modern war and the absolute necessity of peace—peace not founded on the power of arms that today are endowed with an infernal destructive capacity... nor founded on the structural violence of some political regimes, but founded on the patient, rational and loyal method of justice and freedom, such as the great international institutions of today are promoting and defending.

### Program of Action

Today, I want to speak to that message. I want to set forth bold objectives and realistic steps—a vision that should guide our arms control efforts, and that can help us develop the centerpiece of our work over the next few weeks—the program of action.

**First, we should substantially cut the number of strategic nuclear arms and place increasingly stringent qualitative limitations on their further development.**

The United States recognizes that it bears, together with the Soviet Union and other nuclear-weapons powers, a very special responsibility. The SALT II [Strategic Arms Limitation Talks] agreement which is rapidly taking shape will:

- Reduce the number of strategic delivery vehicles now in existence and put a ceiling on the remainder;
- Establish sublimits on those systems which are most threatening and destabilizing; and
- Impose restraints on the improvement of existing weapons and the development of new and more sophisticated systems.

Equally important, the SALT II agreement must and will be adequately verifiable. Neither side can be permitted to emerge suddenly superior through undetected cheating, thus upsetting the strategic balance upon which deterrence of nuclear war depends.

Successful SALT negotiations will make a major contribution to peace. SALT II serves all nations' interests. It deserves universal support. But SALT II is only a step in a very difficult long-term process. We hope soon to begin SALT III. The United States is committed—and I emphasize this point—to a further substantial reduction in nuclear weapons and to still stricter limitations on modernization and new types of delivery vehicles.

A commitment by others will also be required if SALT, and other negotiations, are to succeed.

Yet, Soviet theater nuclear forces have increased. The most significant development has been the deployment of the SS-20—a new, mobile intermediate-range ballistic missile. Each one of these missiles, which may number in the hundreds when deployment is complete, carries three nuclear warheads, each with an estimated yield of 500 kilotons. This high yield, coupled with the SS-20's accuracy, has significantly increased the Soviets' military capability against both military and civilian targets. But the high yield also means that damage to innocent civilians would be extensive, with effects extending 12 kilometers from an explosion.

The SS-20 missile, while not targeted at the United States, is capable of striking targets not only in Western Europe but in Asia, Africa, and the Middle East. Its deployment runs totally contrary to all that this special session seeks to achieve. What can justify this escalation in nuclear arms?

**Second on our agenda, there should be an end to explosions of nuclear devices.**

Soon after his inauguration, President Carter announced his intention to proceed quickly and aggressively with a comprehensive test ban treaty, eliminating the testing of all nuclear devices whether for peaceful or military purposes. Subsequently, the United States, the United Kingdom, and the Soviet Union entered into trilateral negotiations aimed at accomplishing this historic objective. If successful, this will represent the culmination of a process which began in the late 1950's. It will build on the interim results of the Limited Test Ban Treaty of 1963 and the U.S.-U.S.S.R. Threshold Test Ban and Peaceful Nuclear Explosions Treaties signed in 1974 and 1976.

A comprehensive test ban would make a major contribution to curbing the nuclear competition between the superpowers. It would lessen incentives for the development of nuclear weapons by states which do not now possess them and thus re-enforce the Nonproliferation Treaty.

Trilateral negotiations are underway in Geneva. Important progress toward an adequately verifiable agreement has been made. Once agreement is reached, we will move vigorously to seek a multilateral comprehensive test ban treaty accepted by all states. All nations must be persuaded to forswear testing. The continued explosion of nuclear devices has been the major symbol of man's unwillingness to put aside the further development of the world's most devastating weapons. It can, must, and will be stopped.

**Third, as we limit and reduce the weapons of existing nuclear states, we must work in concert to insure that no additional nuclear-weapons states emerge over the next decade and beyond.**

The spread of nuclear weapons to an ever-increasing number of coun-

tries and regions is a chilling prospect. It brings ever closer the probability of their use. Such proliferation would seriously heighten regional and global tensions. It would impede peaceful commerce in the field of nuclear energy. And it would make the achievement of nuclear disarmament vastly more difficult.

The United States understands the concerns of some non-nuclear-weapons states that they are being discriminated against. To help meet these concerns and to prevent the proliferation of nuclear weapons:

- I reiterate today the solemn declaration which President Carter made from this podium in 1977. The United States will not use nuclear weapons except in self defense—that is, in circumstances of an actual nuclear or conventional attack on the United States, our territories, or armed forces, or such an attack on our allies. I call on other nations to make this pledge;

- The President will propose new and expanded contributions by the United States to the peaceful nuclear programs of states which support nonproliferation;

- As President Eisenhower said as long ago as 1956, we must ultimately work out, with other nations, suitable, verifiable, and safeguarded arrangements so that the future production of fissionable materials anywhere in the world would no longer be used to increase the stockpiles of explosive weapons; and

- We will pursue the International Nuclear Fuel Cycle Evaluation to explore further how to insure the benefits of nuclear energy to all without its proliferation risks.

We must redouble our efforts to increase still further the distance between the military and peaceful uses of nuclear energy. Nuclear power stations should produce energy for people—not plutonium for bombs.

Let us learn from the example set by Latin America. Let us expand the regions of the Earth where nuclear weapons will be banned. At the initiative of several Latin American nations, the treaty of Tlatelolco, which bans nuclear weapons from the area, was signed in Mexico City in 1967. Since then, almost all potential parties to the treaty, including the United States, have signed. The United States congratulates the Soviet Union for its recent signing of Protocol II of the treaty. There is now only one country in this region which has yet to indicate its interest in signing [Cuba]. That should be remedied now.

It is our hope that the treaty will come fully into force as soon as possible, thereby creating the first major nuclear-weapons-free zone in the world. We hope that Latin America's bold initiative will be a model for other regions to follow.

**Fourth, as we move to gain control over the nuclear threat, we must seek mutual agreement to ban other weapons of mass destruction.**

The horror of gas warfare during



World War I is etched in the memory of mankind. We have made some progress in recent years by prohibiting biological weapons. The United States and the Soviet Union are moving closer to an agreement on banning radiological weapons, which we would then put before the Conference of the Committee on Disarmament (CCD). Our discussions on chemical weapons are proving more difficult. Any agreement on chemical or new and exotic weapons must be adequately verifiable. The United States is committed to finding a solution, assuming there is a fair-minded approach on the other side.

**Fifth, we must immediately slow down and then reverse the sharp growth in conventional arms.**

The vast bulk of the \$400 billion spent for military purposes in 1976 was spent on conventional weapons. We recognize the legitimate concern of nations that they not be denied arbitrarily access to arms needed for their legitimate defense. Such needs must and will be met. At the same time, our common interests demand a vast reduction in the flow of conventional arms.

Fresh thought is required to come to grips with this neglected, increasingly important dimension of arms control. But we can and we must take action now. Fueling the conventional arms race is the rapidly expanding international trade in these arms. The value of arms imports by the developing nations has increased 75% from 1967 to 1976. A limited, but growing, number of suppliers and recipients accounts for most of this \$20 billion trade.

The United States has on its own initiative begun to reduce the volume of the arms it sells. Under President Carter's conventional arms policy:

- We have placed a ceiling—a reduction of 8% in FY 1978—on weapons and weapons-related items to countries other than NATO, Australia, New Zealand, and Japan;
- The United States will not be the first to introduce into a region a newly developed advanced weapons system which would create a new or significantly higher combat capability;
- We will not sell any such weapons systems until they are operationally deployed with U.S. forces;
- We will not permit development or modification of advanced systems solely for export; and
- We have placed strict controls on coproduction and retransfers.

Recognizing that this problem requires action by all suppliers, we have initiated discussions with other major suppliers and consumers. The results have so far been modest. Much more needs to be done. It will be increasingly difficult for us to sustain our policy unilaterally unless there is more rapid movement toward a meaningful multilateral effort at restraint.

**Sixth, regional arms control arrangements and capabilities should be expanded and strengthened.**

Regional arms control is at a very primitive stage. Few negotiations are underway. Only a few nations have the technical competence required to verify agreements. Many of the techniques, like confidence-building measures which increase predictability and lessen the fear of sudden attack, are largely untried.

For our part, in Europe, the United States and our allies have recently taken an initiative to get the 5-year-old MBFR [mutual and balanced force reductions] talks moving. And we are considering additional measures to increase stability and security in central Europe. In still another region, while we have proposed and commenced talks with the Soviet Union on arms limitations in the Indian Ocean, increases in the Soviet naval presence there have hampered those talks.

Beyond our own negotiations, the United States would like to stimulate regional arms control efforts by offering others assistance with verification and stabilizing measures.

- Our experience in the Middle East has demonstrated that technical assistance with monitoring systems, such as aerial photography and ground detection devices, can help create the confidence necessary to make disengagement and stabilizing agreements work.

- Building on that experience, we are prepared to consider joint requests for these "eyes and ears of peace" from countries that want such monitoring services. Such requests should come preferably via regional organizations or the United Nations.

- The United States is prepared to provide specialists who can help other nations find ways to use confidence-building and stabilizing measures, including notification of maneuvers, invitation of observers to maneuvers, and U.N. machinery to promote such measures.

**Seventh, we should fully develop the institutions and expertise required for arms control.**

We must continue to strengthen U.N. arms control institutions without undercutting those institutions we have developed. While we are prepared to consider changes in the CCD, our major concern is to insure the continued, productive activity of a serious negotiating body operating by consensus.

The peacekeeping and peacemaking capabilities of the United Nations and of regional organizations like the Organization of American States and the Organization of African Unity should be an integral part of arms reduction efforts. The role of such regional organizations is critical to minimize intrusion by outsiders. We encourage a strong and prominent role for these organizations.

The United Nations plays an essential role. At this moment U.N. forces in Lebanon, Cyprus, the Golan Heights, and Sinai are making it possible for negotiations to move toward lasting peaceful settlements.

To make these U.N. efforts even more effective, we propose the estab-

lishment of a U.N. peacekeeping reserve force. Such a force would comprise national contingents trained in U.N. peacekeeping methods and earmarked by their governments for U.N. duty. This peacekeeping reserve would be drawn upon by the Secretary General whenever the Security Council decided to establish a U.N. force to maintain international peace and security.

There is also a critical national dimension. Every government must strengthen the institutions and expertise needed for arms control. Let each of us resolve at this session that our nations will examine the priority which we now give disarmament in organization, budgets, and personnel.

**Eighth, progress in arms control agreements should release additional resources for economic and social development.**

Collectively, we have the capacity to eliminate the worst vestiges of poverty from the world by the end of the century. The tremendous expenditure of resources devoted to building military strength stands in the path of development today. The developing countries share of world military expenditures has grown from 15% to 23% in the last decade. The developing nations are now spending a greater portion of their GNP for military purposes than the developed countries.

Just 1% of the world's annual military budget would be enough to provide food and a healthy development of 200 million malnourished children today. Let us, through the work of this conference, begin to turn the world's resources from ever-growing stockpiles of destruction to ever-growing opportunities for life.

Arms control agreements can help free the economies of industrial as well as developing nations to solve pressing social problems. We realize the vast potential of the American economy. The American people have no more fervent wish than to turn more of that potential from the manufacture of arms to the fulfillment of human needs.

As nations conclude arms control agreements and show restraint in arms expenditures, the United States favors reallocating funds to development projects which previously were earmarked for military assistance.

Our ability to redirect funds for development hinges on the willingness of other nations to limit their current arming of developing nations. If the United Nations is to deal effectively with the problems of development, we cannot have countries pouring arms into the developing world while at the same time devoting minimal funding to development assistance. We cannot have nations using their military power to exploit differences between nations and to exacerbate serious conflicts.

My country for years sought to limit military shipments to Africa. Our economic development assistance far outstrips the amount of military assistance we have provided. In 1977, the United States contributed \$327 million in economic assistance to Af-

rican nations, compared to only \$59 million in military aid. This record, with its special emphasis on funding for food, stands in marked contrast to the predominant military assistance extended by others. Our orientation represents, I believe, a far better contribution to the long-term future of the people of Africa. The choice here is one of encouraging the constructive and creative capabilities of the developing world or of encouraging those tendencies which generate conflict. Let us place our hopes in development.

Our recognition of the relationship between disarmament and development should inform and give urgency to all our arms control objectives. In addition:

- We strongly support the U.N. study of disarmament and development. This study should include consideration of the economic problems which may result from disarmament;

- We favor efforts to reduce military expenditures and have volunteered to provide our own accurate information on national military expenditures to a U.N. pilot project testing a method to measure such expenditures; and

- We encourage others to be equally open. Greater openness about military expenditures is a necessary companion to arms restraint. Over time, openness can gradually replace fear with trust, promote confidence, encourage self-restraint, and eliminate needless sources of conflict.

### The Challenge

Thirty-three years ago, President Harry Truman addressed the first delegates to the United Nations at their meeting in San Francisco. And he said: "By your labors at this Conference, we shall know if suffering humanity is to achieve a just and lasting peace."

That is our challenge at this special session. The world watches what we do here, and mankind's deepest hopes are with us today. The success or failure of our efforts will determine, more than any other endeavor, the shape of the world our children will inherit, or whether they will inherit a habitable world at all. And it is their interests which unite us today.

No matter what nation we are from, no matter what our political philosophy, our children are 100% of our

future. We owe them 100% of our efforts to halt the arms race today.

Arms control must not be the agenda only of this session or this year alone. It must be the moral agenda of our time. Our work must be kept in full view of the world community. We need the pressure of world opinion to give urgency to our task. And that is why the United States calls on this conference to follow up our efforts with another special session of the General Assembly in 1981. Let our next meeting monitor the progress we have made. And let it press upon us the agenda of issues which we must still resolve.

The challenge of controlling the arms race is awesome. But Emerson said we measure a man's wisdom by his hope. Let us proceed with hope today. I am confident that if each of our nations can look beyond its own ambitions; if, in the work of this conference, we can bridge the distances of geography and history and fear; and if all of us can bring to our efforts the deepest yearnings of the peoples we represent, then we shall serve all the world's children with our labors and, in the words of Isaiah, the work of righteousness shall be peace.

## 33d General Assembly Convenes

by Secretary Vance

*Statement at the opening session of the U.N. General Assembly on September 29, 1978.*

A generation ago, the United Nations was created by men and women who shared a vision.

- They saw the need, in the wake of war, to create stronger international institutions that could dampen the flames of conflict and lift nations and people to a new level of material well-being.

- They saw the need to afford self-determination to millions.

- They saw the need for the world community to take a compelling stand against repression, discrimination, and the denial of the rights of man.

The men and women who gathered in San Francisco raised their sights above the differences and divisions of the moment. They dared to see the world as it could be—a world where those who were hungry are fed, where those who were poor have escaped the degradation of poverty, where diplomacy among nations is a pervasive substitute for violence among nations, and where the resources of the world are used effectively and shared equitably.

In the years since, the record of the United Nations in working toward this vision has been one of accomplishment. It has played an indispensable part in the process of peaceful decolonization, in defusing tensions among nations through its peacekeeping missions, and in promoting genuine economic and social progress.

Today, the members of this body still share that common vision. And we understand, far better than ever before, our common destiny—that no nation, acting alone, can assure its people peace and economic security; that the future of each of our nations depends upon the future of all of our nations.

Our challenge today is to summon the political will to act in concert toward the goals we share—to go beyond the rhetoric of interdependence and to begin to recognize its inescapable implications for the national interests of each of us.

We must build a new consensus on this proposition: that in this new era, each nation must weigh more carefully than ever before its long term interest in a healthy global community when making decisions about its immediate concerns. For only through cooperation and compromise in the short run can we assure our longer term future.

On crucial issues, the coming months will present turning points of incalculable importance. In negotiations on the Middle East, on southern Africa, on trade, on arms control, and on many other pressing problems, genuine progress has been made. Without continued progress, the gains we have already made can be lost.

This point applies not to any single nation nor group of nations, but to every nation, including my own.

The resolution of dangerous regional disputes and progress in limiting weaponry must always be at the top of the immediate international agenda. I will return to these issues later. But we cannot so concentrate our energies on the political diplomacy of international peace, essential as it is, that we discover too late that international inequities, and poverty and injustice within nations, make peace among nations impossible.

So let me concentrate my comments today on those issues that so centrally touch people's lives around the globe—economic security, equitable development of the Earth's resources, and individual freedom.

### International Economic System

Shared economic progress requires a global consensus on the benefits of cooperation among nations. Cooperation and compromise are often difficult.

- The economic problems we share require long term efforts, but we are all constrained by domestic concerns which call for immediate attention.

- The problems we share are so widespread in their impact that solutions cannot be found by a single nation or group of nations.

- These problems require more than general agreements. Application of substantial technical and financial resources are necessary. Debate over sterile texts will neither feed the hungry nor create new jobs for the unemployed. Only common action can be effective. And each must contribute if all are to benefit.

Only 3 or 4 years ago there was extraordinary tension between North and South. Each side was deeply suspicious of the other's motives. Each held sharply different perceptions of global needs and priorities.

But these differences have been narrowed. From the seventh special session, through the U.N. Conference on Trade and Development (UNCTAD) IV, the Conference on International Economic Cooperation, and the meetings of this Assembly—and through other serious efforts in the Organization for Economic Cooperation and Development (OECD) and the economic summits—agreement has been achieved on several basic issues relating to a new international economic order.

- We are agreed on the need to work toward the elimination of poverty in all countries. Concessional aid flows have increased. More attention is being devoted to food production. Satisfying basic economic needs is becoming a greater priority of the international community.

- We are agreed on the urgent need to accelerate equitable, noninflationary growth. The Geneva trade negotiations are in their final stages. We are discussing guidelines for international investment. Private capital flows are

increasing. The facilities of the International Monetary Fund (IMF) have been expanded, and discussions are underway to expand the facilities of the multilateral development banks.

- We are agreed on the need to reduce economic instability and uncertainty. The IMF is playing a major role in providing balance-of-payments financing to those most severely affected by recent disruptions in the world economy. We are engaged in serious discussions on a variety of commodity arrangements, including a system of internationally coordinated national grain reserves.

- We are agreed on the need to facilitate smooth adjustment for workers and businesses that have borne the brunt of changing economic circumstances. The Bonn summit made clear that we must intensify our efforts in this area.

Because we have come far, the road ahead will be even more challenging, for the most difficult issues remain. To maintain our progress, we should be guided by three fundamental principles in the North-South discussions over the coming months.

**First**, every nation must resist the temptation to solve its own economic problems at the expense of others. We must fashion our domestic policies on the basis of global as well as national needs.

**Second**, all nations which bear their fair share of responsibility should benefit from a healthy world economy.

**Third**, all nations must enter international economic negotiations with a spirit of accommodation.

These principles will not by themselves solve the problems we face. But without their general acceptance, there can be no genuine progress. Adherence to them will prevent critical negotiations from turning into polarizing and self-defeating tests of will.

Let me discuss several major issues where the application of these principles can make the difference between success and failure.

### Committee of the Whole

One of our most recent collective efforts to address the economic challenges we share was the establishment of the Committee of the Whole. This Committee has the potential to look at economic issues comprehensively and to identify longer term priorities. The United States strongly supports this forum.

The meeting in May made progress in identifying some important areas of agreement between industrial and developing countries. Substantive discussions in the Committee had an important impact on the June ministerial meeting of the OECD and in the Bonn summit. We, of course, shared the disappointment of other delegates that a procedural impasse earlier this month interrupted the Committee's work.



Since the September meeting, we have carefully examined the statements made by others on this issue. We have noted in particular statements by the chairman to the Committee on September 8 and to the press on September 11 and have taken account of subsequent consultations. It is now generally agreed that the Committee would not seek to provide specific solutions to problems outstanding in other bodies. Rather, it would achieve agreed conclusions on fundamental or crucial underlying issues and only to the extent that all members agreed to decide on them.

We are satisfied that on the basis of these statements, sufficient procedural agreement now exists to resume substantive work in the manner suggested by the chairman at the end of the informal consultations on September 6.

## Trade

The spirit which must guide our work in the Committee of the Whole applies as well to our policies on trade. The developing world is no longer on the periphery of world trade. Increasingly, growth in the developing countries is important to the health of industrial countries.

Commitment to open trade, however, is extremely fragile. It is tempting for one nation to use trade restrictions to export its economic difficulties. It is often easy to avoid adjustments which are beneficial in the long term but which in the short run present difficult problems for workers and industry.

We must be concerned about rising protectionist pressures, but we should also recognize that world trade has expanded remarkably well in recent years. Despite a deep recession in the early 1970's, we not only avoided the trading wars of the 1930's, we continued negotiations to liberalize and improve the world trading system. Our ability to conclude these trade negotiations successfully this year is a critical test of our commitment to an open trading system. And agreement will stimulate production. It will provide jobs. And it will help reduce inflation.

Beyond our efforts to expand trade, the United States will fulfill our commitment to assist developing nations through differential measures including, where appropriate, special and more favorable treatment. We in turn expect those developing countries which can do so to contribute to trade liberalization by improving access to their markets. Improved access will not only benefit the industrial countries, it will be even more important to many developing countries.

Finally, we believe that in trade, as elsewhere, the developing countries should have a voice in determining the policies which affect them. We have encouraged their full involvement in the Geneva negotiations. We urge developing countries, especially those which play a large role in international trade, to participate actively in the General Agreement on Tariffs and Trade and in the agreements that result from the Geneva negotiations so that their interests are fully represented.

## Commodities

An essential element of trade for most developing nations is their export of basic commodities. At UNCTAD IV we agreed to intensify our collective effort to address commodity problems. Progress has not always been as fast as we all would like, but this has generally reflected the technical complexity of commodity issues rather than lack of political will or good faith. We will continue to work for stabilization agreements and other measures that strengthen commodity markets.

Let me affirm also that we believe a soundly designed common fund could play a useful role in alleviating commodity problems. A well-structured fund will provide economic benefits to participating countries. We also recognize that establishment of a fund is of major political importance to the general North-South dialogue.

We will cooperate with others to bring the common fund negotiations to a successful conclusion. Recent consultations have identified a convergence of views on some issues. All agree that a fund could play a useful role in reducing the overall financial costs of supporting buffer stocks which effectively stabilize prices.

In addition, there is a growing recognition of the importance of encouraging improved productivity and more effective marketing of many commodities. A separate "second window" of the common fund, based on voluntary contributions and operating under agreed guidelines, might be an appropriate mechanism. We are prepared to negotiate flexibly on this issue, as on others, if there is a similar approach on all sides.

While progress has been made on some issues, important differences still remain. Movement on all sides of the conference table will be necessary. But we are convinced that with mutual accommodation a workable agreement can be achieved.

## Resource Transfers

As with trade, increased resource flows to the developing world must be part of an international system of shared responsibility.

We ought not think of resource transfers as a sacrifice for donors or a unilateral benefit for recipients. They are an economic investment in the future of all countries. They will contribute to global economic growth, greater trade, and enhanced prosperity for us all.

My country is committed to increasing our contributions both to multilateral and bilateral development efforts. We have done so in the past year: Our multilateral commitments increased 31% and our bilateral program expanded by 20%. And because we are determined that U.S. aid funds will be used effectively, we will concentrate our efforts in countries where programs are aimed most directly at meeting the essential needs of their people.

The United States believes strongly that a key objective of foreign assistance should be to help meet basic human needs. We recognize that na-

tions will have different development priorities in approaching this goal. Whether emphasis is on enhancing the productivity of the poor, increasing food production, improving health, or expanding industry which creates jobs, the critical ingredient in every nation is to have all its citizens—men and women—as active participants and beneficiaries in their nation's growth.

Finally, we recognize the debt problems that many of the least developed countries face. We will soon have authority from our Congress for retroactive adjustment of certain aid terms which would permit us to help those most in need.

## Managing Global Resources

As we work together to promote economic development, we must also assure an equitable sharing of the world's resources. Four issues demand our urgent attention.

**Food.** Our first urgent priority is assuring adequate food and stable agricultural prices for all people. Four years have passed since the World Food Conference, where we agreed on measures we must take for the future. But despite our efforts, the fundamental problems remain.

- Food production is hardly keeping pace with the growth in population.
- Food deficits in many countries are increasing.
- Negotiations on grain reserves have dragged on without success.

We believe progress must be made.

The United States has created a 9-million-ton farmer-held grain reserve. We have proposed to our Congress the establishment of an international emergency wheat reserve of 6 million tons to provide food for emergency needs in developing countries. We intend to maintain our food aid level at a fair share of the target set at the World Food Conference. We will continue to support the activities of international organizations devoted to food production, such as the International Fund for Agricultural Development. And we intend to make food aid a more effective tool in support of development.

I propose that this Assembly review the world food situation—to identify the current obstacles to progress and to restore a sense of urgency to meeting mankind's most basic need. We must not be lulled by good weather and plentiful harvests. Another tragedy is inevitable unless we act now.

**Energy.** We must act now to develop new energy resources so that we avoid a harsh transition to the time when fossil fuels will no longer be plentiful. This task has several dimensions.

- There must be an expansion of oil and gas production. And we need to improve our conservation of these energy sources, especially in the United States. The World Bank has expanded its lending to help developing countries increase their fossil fuel supplies. We welcome this, and we



also encourage the regional development banks to assist.

- The development of nuclear energy will also be central to the future of many countries. We hope the International Nuclear Fuel Cycle Evaluation will provide a consensus on nuclear technologies free from the serious risk of nuclear weapons proliferation. My government supports the development of safeguardable nuclear power, including assured nuclear fuel supplies. The developing nations should, of course, participate in the design and management of the institutions which form the basis of an international nuclear energy regime.

- Priority attention must be given to the development of renewable energy sources. Many technologies already exist for harnessing solar, wind, and geothermal power. All of us can benefit from these technologies, but a special effort should be made to meet the needs of the poorer countries.

Two opportunities now exist for the United Nations to continue to play an important role.

- The United States supports the proposed U.N. conference on new and renewable energy. It could result in a more coordinated U.N. energy effort and clearer priorities. It could also provide up-to-date information on renewable energy technology and examine the role of the private sector in energy development.

- The U.N. Development Program might also expand its efforts to help nations assess their own renewable energy possibilities, finance the testing of new technologies, and provide training and technical assistance for effective energy management.

The United States is willing to contribute to a major global effort to develop new energy sources. We will intensify our assistance programs in this area. We will increase domestic research which can benefit all nations. And we will expand cooperative energy programs from which we too stand to benefit.

**Law of the Sea.** We must strive to conclude successfully the Law of the Sea negotiations. At stake is whether this vast expanse of the globe will be an arena of conflict or cooperation.

Considerable progress has been made on a number of issues in these negotiations. These achievements have been obscured, however, by continued stalemate over seabed mining. The basis for an equitable solution already exists and is widely accepted. It permits all sides to benefit fully from seabed mining, with private firms as well as an international enterprise allowed to mine on a competitive basis. A mutually acceptable solution is imperative, and it is possible.

Time is running out for reaching an agreed solution. Without it, seabed mining will inevitably take place but in the absence of an internationally agreed framework. This would be less satisfactory than a widely supported international regime.

**Science and Technology.** Finally is the critical question of how best to harness technology and science for the benefit of mankind.

We hope that the U.N. Conference on Science and Technology for Development will focus attention on how all countries can contribute their knowledge to global development. It will be particularly important to find ways for developing nations to enhance their capacity to generate, select, and apply technology for their own development priorities. We will contribute to the work of the conference, and we hope to benefit from it.

Furthermore to help mobilize the technical talents and knowledge of our nation on behalf of the development of others, we intend to establish during the coming year a new foundation for international technological cooperation.

### Enhancement of Human Dignity

The ultimate purpose of all our policies is the enhancement of human dignity. The rights to food, to shelter, to a decent education, to adequate health—the rights which lie at the heart of our approach to economic issues—are hollow without political and civil freedoms—freedom from torture and government mistreatment; freedom to worship, to travel, and to speak without fear; freedom to participate in the affairs of one's government. There is no incompatibility among economic, political, and civil rights, no choice that must be made among them. They reinforce one another.

We commemorate in this Assembly the 30th anniversary of the Universal Declaration on Human Rights. Dag Hammarskjöld described the Declaration as a "living document." We have a continuing obligation to keep that document alive in our own nations. And as members of the United Nations, we must strengthen the international machinery that serves to promote the full range of human rights—political and economic.

We have made significant progress in the past year. Concern for human rights is more central to international discourse today than ever before. But more needs to be done.

- This Assembly should review the activities of the various U.N. human rights institutions.

- We must resolve in this Assembly to make torture alien to the experience of every nation and to conclude an international agreement to outlaw it.

- We need to insure that we are doing all we can to end conditions which are tantamount to genocide.

- We must ask what more each of us can do to insure the vitality of the Universal Declaration—to provide amnesty to prisoners of conscience, to assure due process for all, and to advance social justice and equity for our people.

In addition, the plight of one group of individuals—refugees—demands our special compassion. We urge all nations to increase their support for the

vital humanitarian work of the High Commissioner for Refugees.

The refugee problem is not confined to any single region. In Africa alone, some 2 million individuals are now outside their native lands. We must do more to offer them sustenance, security, and a realistic hope of resettlement or return to their homelands.

In Southeast Asia, hundreds of new refugees from Indochina appear daily, some risking their lives to cross borders, others challenging the sea in every form of vessel. We urgently need greater efforts to provide them sanctuary. We hope that the High Commissioner will consider convening an international conference in the very near future to seek humane solutions to the desperate plight of these refugees. We propose that consideration also be given at a later date to a general conference on the worldwide refugee problem.

### International Peacekeeping

Too often the anguish of the uprooted is grim testimony to our collective failure to achieve international peace. War and strife are the enemies of the fundamental rights I have discussed.

Today my government and many of those assembled here are actively pursuing the path of peace in troubled areas of the world.

**Middle East.** The accords achieved at Camp David offer hope that at long last a turning point has been reached in the Middle East. The agreement achieved between Egypt and Israel, with active American participation, constitutes a framework for a comprehensive peace settlement. Much remains to be done in ensuing stages of negotiations, but a major step has been taken in resolving the difficult issues that lie at the heart of 30 years of Arab-Israel hostility.

As negotiations are pursued on the basis of the Camp David framework, a dynamic process will be set in motion that can profoundly change attitudes on the issues that remain to be resolved. That process will significantly advance legitimate Arab objectives while protecting Israel's security. It is our hope that the members of this body will lend their full support to the task of building a just and lasting peace upon this framework.

In his recent address before Congress, President Carter reviewed the main elements of the Camp David agreements. As the President said, our historic position on settlements in occupied territory has remained constant. As he further said, no peace agreement will be either just or secure if it does not resolve the problem of the Palestinians in the broadest sense. We believe that the Palestinian people must be assured that they and their descendants can live with dignity and freedom and have the opportunity for economic fulfillment and for political expression. The Camp David accords state that the negotiated solution must recognize the legitimate rights of the Palestinian people.

The Camp David accords make a solid start toward achieving these goals for the Palestinians in real terms. In the West Bank and Gaza, the framework provides that Israeli occupation shall end and a self-governing authority shall be instituted. This can be achieved within a few months. Thus, for the first time, the Palestinians have the prospect of governing themselves within the framework that has been agreed.

The Camp David framework also gives the Palestinians a vital role in shaping their destiny by recognizing them as participants in all aspects of the negotiations that determine their future. They will participate in the negotiations to set up their self-governing authority, in those to determine the final status of the West Bank and Gaza, and in those leading to a Jordan-Israel peace treaty. Finally, the agreement on the final status of the West Bank and Gaza will be submitted to a vote of representatives of the inhabitants for either ratification or rejection.

These steps set in motion a political process of the utmost importance to all Palestinians.

The Camp David accords concentrate on the means by which self-government can be established for the Palestinians living in the West Bank and Gaza, but there was also clear recognition by all three leaders at Camp David that the problem of the Palestinians living outside these areas must also be addressed.

We recognize that this problem has political as well as humanitarian dimensions which must be resolved as an integral part of a durable peace settlement. When the Camp David accords call for "... the resolution of the Palestinian problem in all its aspects," they acknowledge and embrace that central fact. As the political institutions of self-government take shape in the West Bank and Gaza through negotiations among the parties, the relationship between those institutions and the Palestinians living outside the area should be defined, including the question of admission of Palestinian refugees to the West Bank and Gaza.

The framework provides for the establishment of a committee to decide on the modalities of admission to the West Bank and Gaza of persons displaced in the 1967 war. For the first time, the parties to the conflict—Egypt and Israel—have agreed to work with each other and with other interested parties to establish agreed procedures for a prompt, just, and permanent resolution of the refugee problem.

As President Carter stated in his address to Congress, the United States is irrevocably committed to bringing about a satisfactory solution to the problem of the Palestinian refugees. We will play an active role in the resolution of this problem. A solution must reflect the relevant U.N. resolutions relating to these refugees.

We urge the international community to support Egypt and Israel in establishing procedures urgently to address

this issue in all its aspects. And the international community should contribute to a program to promote economic development in the West Bank and Gaza as well as to assist those refugees residing elsewhere.

We are determined to achieve a fair and just settlement of the Middle East question in all its parts, and we hope the Palestinian people will seize this historic opportunity. It is our hope that the people of the Middle East will agree that it is imperative to begin the negotiating process now—and not to stand still until every last issue is resolved. We urge the other interested parties to join the negotiations without delay.

As the Middle East peace process moves forward, it is vital to maintain the effectiveness of the U.N.'s peacekeeping role there. It is critical that the mandates of U.N. peacekeeping forces in the Golan Heights and Sinai be renewed this fall. They have thus far helped all sides avoid renewed hostilities; they must now remain to help achieve a stable peace.

**Lebanon.** In Lebanon, the fighting and tragic loss of life continues. The U.N.'s interim force in southern Lebanon has done much to stabilize the situation in that part of the country, and we call on all to support this effort to help reassert Lebanese authority.

Elsewhere in Lebanon confrontation and tensions continue at a high pitch. President Carter has made clear in his address to the joint session of Congress following the Camp David summit, and again yesterday [at a news conference], his determination to spare no effort to assist in finding a solution to the Lebanese tragedy. As the President said yesterday, it is time for us to take joint action to call for a conference of those who are involved and try to reach some solution. It may involve a new charter for Lebanon.

**Namibia.** In Namibia, the world community faces a fundamental challenge. I will be commenting on this more fully this afternoon in the Security Council. Let me simply say now that the United States is determined to see Namibia achieve independence in accordance with the contact group proposal and Security Council Resolution 431. We call upon South Africa to cooperate fully with the United Nations so that this critical opportunity for a peaceful settlement will not be lost.

**Rhodesia.** In Rhodesia, time may be running out for the possibilities of diplomacy. But we will continue to work with the British Government, the governments in the region, and the parties to seek a negotiated solution. We condemn the murder of innocent civilians as a matter of both conscience and reason. The prospects for peace in Rhodesia will diminish if violence increases.

**Cyprus.** On Cyprus, an opportunity now exists to help the two communities narrow their differences and achieve a

just and lasting solution to this long-standing problem. The United Nations has done a commendable job of nurturing an atmosphere which should now make possible productive intercommunal negotiations.

To grasp this opportunity, we would welcome and actively support a renewed effort by Secretary General Waldheim to help the parties reach agreement on a sovereign, bicommunal, nonaligned federal republic of Cyprus which would meet the concerns of the people of Cyprus.

**Nicaragua.** In this atmosphere, we must respond to the agony of those caught up in the violence and bloodshed of Nicaragua. We and several countries in Latin America have offered to assist in the mediation of Nicaragua's internal crisis. It is our hope and expectation that all parties concerned will accept these offers and agree to a fair mediation process in which all can have confidence. Only a democratic solution in Nicaragua—not repression or violence—can lead to an enduring stability and true peace.

**Terrorism.** As we work together to find peaceful resolutions to the most dangerous regional disputes, we must also seek at this assembly to strengthen the U.N.'s peacekeeping capability. And while this Organization works to limit violence among nations, we must not lose sight of the havoc wreaked by those who perpetrate terrorist acts on innocent persons. No single nation, acting alone, can deal adequately with this serious problem. Collective action is essential.

We are beginning to make some progress. Last year the General Assembly adopted a significant resolution on aircraft hijacking. The Bonn Declaration of this July produced a much-needed agreement on the harboring of hijackers. We strongly urge all nations to subscribe to this Declaration.

**Arms Control.** The pursuit of peace and security must go beyond resolving conflicts and preventing violence. The security of all is enhanced if nations limit the weapons of war through mutually negotiated arms control agreements.

We are engaged with the Soviet Union and other nations in a broad range of arms control negotiations.

- The conclusion of a strategic arms limitation agreement with the Soviet Union is a fundamental goal of the United States. We hope that we may conclude a SALT II agreement before the end of this year.

- The United States hopes that early progress can be made in concluding a comprehensive agreement to end the testing of nuclear weapons.

- Increased efforts are critically needed to prevent the spread of nuclear weapons. It is important to prepare fully for the 1980 Nonproliferation Treaty review conference; to continue to make progress in the International Nuclear Fuel Cycle Evaluation; and to recognize one of the important achievements of the Special Session on

Disarmament (SSOD)—the decision by several nuclear powers to pledge, under specific circumstances, to refrain from use of nuclear weapons against non-nuclear states. We suggest that the Security Council take note of these pledges.

- The United States will also work to realize the call in the SSOD Declaration of Principles and Program of Action for restraint in the transfer of conventional arms. We are actively discussing with the Soviet Union how our two nations might encourage restraint consistent with the legitimate right to self-defense and international

obligations. We are encouraged by the new initiatives already being undertaken to promote restraint on a regional basis in Latin America, and we stand ready to support similar efforts by countries in other regions.

### Conclusion

Let me emphasize that on all the issues I have addressed today, what we share is greater than how we differ. We share the same small planet. We share human aspirations—for better lives, for greater opportunity, for freedom and security. And because we share a

common destiny, we are compelled to resolve our differences.

If we focus on these common interests, we can begin to find the common ground for global progress. We can, as Jean Monnet said, "put our problems on one side of the table and all of us on the other."

The measure of our progress will not be whether we achieve all of our goals in this generation, for that will surely prove to be impossible; it is whether we can now summon the will to move forward together so that our children may benefit from our efforts and our vision.





## APPENDIX II: PRINCIPAL ORGANS OF THE UNITED NATIONS

GENERAL ASSEMBLY

The General Assembly is composed of all 151 UN members.  
They are:

Afghanistan	Germany, Fed. Rep. of	Oman
Albania	Ghana	Pakistan
Algeria	Greece	Panama
Angola	Grenada	Papua New Guinea
Argentina	Guatemala	Paraguay
Australia	Guinea	Peru
Austria	Guinea-Bissau	Philippines
Bahamas	Guyana	Poland
Bahrain	Haiti	Portugal
Bangladesh	Honduras	Qatar
Barbados	Hungary	Romania
Belgium	Iceland	Rwanda
Benin	India	Samoa
Bhutan	Indonesia	Sao Tome and Principe
Bolivia	Iran	Saudi Arabia
Botswana	Iraq	Senegal
Brazil	Ireland	Seychelles
Bulgaria	Israel	Sierra Leone
Burma	Italy	Singapore
Burundi	Ivory Coast	Soloman Islands
Byelorussian S.S.R.	Jamaica	Somalia
Cameroon	Japan	South Africa
Canada	Jordan	Spain
Cape Verde	Kampuchea	Sri Lanka
Central African Empire	Kenya	Sudan
Chad	Kuwait	Suriname
Chile	Laos	Swaziland
China	Lebanon	Sweden
Colombia	Lesotho	Syria
Comoros	Liberia	Tanzania
Congo	Libya	Thailand
Costa Rica	Luxembourg	Togo
Cuba	Madagascar	Trinidad and Tobago
Cyprus	Malawi	Tunisia
Czechoslovakia	Malaysia	Turkey
Denmark	Maldives	Uganda
Djibouti	Mali	Ukrainian S.S.R.
Dominica	Malta	U.S.S.R.
Dominican Republic	Mauritania	United Arab Emirates
Ecuador	Mauritius	United Kingdom
Egypt	Mexico	United States
El Salvador	Mongolia	Upper Volta
Equatorial Guinea	Morocco	Uruguay
Ethiopia	Mozambique	Venezuela
Fiji	Nepal	Vietnam
Finland	Netherlands	Yemen (Aden)
France	New Zealand	Yemen (Sana)
Gabon	Nicaragua	Yugoslavia
Gambia	Niger	Zaire
German Dem. Republic	Nigeria	Zambia
	Norway	

The General Assembly held three special sessions in New York during 1978: the 8th special session (Apr. 20-21), concerning the financing of UNIFIL; the 9th special session (Apr. 24-May 3), to consider the question of Namibia; and the 10th special session (May 10-June 30), devoted to disarmament. At each of the special sessions it was decided that the officers and chairmen of the seven main committees should be the same as for the 32nd session and that where the chairmen from the 32nd session were not present they should be replaced by a member of their own delegation. In addition, the 9th and 10th special sessions each established an Ad Hoc Committee for the session and decided the chairmen should be accorded full rights of membership in the General Committee (steering committee). Under the Assembly's rules of procedure the General Committee consists of the President, the 17 Vice Presidents, and the chairmen of the seven main committees. The chairmen of the ad hoc committees of the 9th and 10th special sessions were Gwendoline E. Konie (Zambia) and Carlos Ortiz de Rozas (Argentina) respectively.

The 33rd regular session of the General Assembly convened Sept. 19 and was suspended on Dec. 21, 1978. The session was resumed twice--first, from Jan. 15 to 29, 1979, and again resumed May 23; it was finally adjourned May 31, 1979. The Assembly elected Indalecio Liévano (Colombia) as President and the chairmen of the delegations of Bhutan, Burundi, Canada, China, El Salvador, Fiji, France, Kenya, Libya, Poland, Qatar, Senegal, Spain, Trinidad and Tobago, U.S.S.R., United Kingdom, and United States as the 17 Vice Presidents.

The chairmen of the seven main committees, on which each member may be represented, were:

- First (Political and Security)--Ilkka Olavi Pastinen (Finland)
- Special Political--Rodolfo E. Piza Escalante (Costa Rica)
- Second (Economic and Financial)--Louis Kayanda Mwangaguhunga (Uganda)
- Third (Social, Humanitarian, and Cultural)--Leticia R. Shahani (Philippines)
- Fourth (Trust and Non-Self-Governing Territories)--Leonid Aleksandrivich Dolguchits (Byelorussian S.S.R.)
- Fifth (Administrative and Budgetary)--Clarus Kobina Sekyi (Ghana)
- Sixth (Legal)--Luigi Ferrari Bravo (Italy)

#### SECURITY COUNCIL

The Security Council is composed of 5 members designated in the Charter as permanent and 10 members elected by the General Assembly for 2-year terms ending Dec. 31 of the year given in the heading:

Permanent Members: China, France, U.S.S.R., United Kingdom, United States.

1978: Canada, Federal Republic of Germany, India, Mauritius, Venezuela.

1979: Bolivia, Czechoslovakia, Gabon, Kuwait, Nigeria.

On Nov. 10 the Assembly elected Bangladesh, Jamaica, Norway, Portugal, and Zambia for terms beginning Jan. 1, 1979.

### TRUSTEESHIP COUNCIL

The Trusteeship Council is composed of the United States (as administrator of a territory) and the other four permanent members of the Security Council (China, France, U.S.S.R., United Kingdom).

The Trusteeship Council held its 45th session in New York, May 15-June 8, 1978.

### ECONOMIC AND SOCIAL COUNCIL

ECOSOC is composed of 54 members elected by the General Assembly for 3-year terms ending Dec. 31 of the year given in the heading:

1978: Afghanistan, Algeria, Austria, Bangladesh, Bolivia, Brazil, Cuba, France, Federal Republic of Germany, Greece, Malaysia, Nigeria, Portugal, Togo, Tunisia, Uganda, Venezuela, Yugoslavia.

1979: Colombia, Iran, Iraq, Italy, Jamaica, Mauritania, Mexico, Netherlands, New Zealand, Philippines, Poland, Rwanda, Somalia, Sudan, Syria, Ukrainian S.S.R., United States, Upper Volta.

1980: Argentina, Cameroon, Central African Empire, China, Dominican Republic, Finland, Hungary, India, Japan, Lesotho, Malta, Romania, Sweden, Tanzania, Trinidad and Tobago, U.S.S.R., United Arab Emirates, United Kingdom.

On Nov. 3 the Assembly reelected Algeria, Brazil, France, Federal Republic of Germany, and Venezuela, and elected Ecuador, German Democratic Republic, Ghana, Ireland, Morocco, Senegal, Spain, Turkey, and Zambia; on Nov. 10 the Assembly elected Cyprus, Indonesia, and Pakistan; and on Nov. 17 it elected Barbados for terms beginning Jan. 1 1979.

ECOSOC held its organizational session for 1978 (Jan. 10-13), and its first regular session (Apr. 11-May 5) in New York. It held its second regular session in Geneva (July 5-Aug. 4) and the resumed part in New York (Oct. 12, 30; Nov. 8, 15, 27; Dec. 19).

### INTERNATIONAL COURT OF JUSTICE

The International Court of Justice consists of 15 members elected by the General Assembly and the Security Council for 9-year terms ending Feb. 5 of the year given in parentheses. Members are listed in order of precedence:

Eduardo Jiménez de Aréchaga (Uruguay) (1979), President  
 Nagendra Singh (India) (1982), Vice-President  
 Isaac Forster (Senegal) (1982)  
 André Gros (France) (1982)  
 Manfred Lachs (Poland) (1985)  
 Hardy C. Dillard (United States) (1979)

Louis Ignacio-Pinto (Benin) (1979)  
 Federico de Castro (Spain) (1979)  
 Planton D. Morozov (U.S.S.R.) (1979)  
 Sir Humphrey Waldock (United Kingdom) (1982)  
 José Mariá Ruda (Argentina) (1982)  
 Herman Mosler (Federal Republic of Germany) (1985)  
 Taslim O. Elias (Nigeria) (1985)  
 Salah El Dine Tarazi (Syria) (1985)  
 Shigeru Oda (Japan) (1985)

On Oct. 31, 1978, the General Assembly and the Security Council, voting independently but concurrently, reelected Mr. Morozov and elected Roberto Ago (Italy), Richard R. Baxter (United States), Abdullah Ali El-Erian (Egypt), and José Sette Câmara (Brazil) for terms beginning Feb. 6, 1979.

#### SECRETARIAT

The Secretariat consists of a Security General, who is the chief administrative officer of the organization, and such staff as the organization may require. The Secretary General is appointed by the General Assembly upon the recommendation of the Security Council; the staff is appointed by the Secretary General under regulations established by the General Assembly.

On Dec. 22, 1971, the 26th General Assembly appointed Kurt Waldheim (Austria) Secretary General for a 5-year term beginning Jan. 1, 1972. On Dec. 8, 1976, the 31st Assembly reappointed him for a second 5-year term, ending Dec. 31, 1981.



## APPENDIX III: UNITED STATES MISSIONS

U.S. MISSION TO THE UNITED NATIONS, NEW YORK

The United States is represented by a permanent mission at the Headquarters of the United Nations in New York. Under the direction of the U.S. Representative to the United Nations, the mission carries out the instructions of the President, as transmitted by the Secretary of State. It serves as the channel of communications between the U.S. Government and the UN organs, agencies, and commissions at the Headquarters; with the 144 other permanent missions accredited to the United Nations; and with various nonmember observer missions. It is also a base of operations for the U.S. delegations to the General Assembly and to other UN bodies when they meet in New York.

The chief of mission, who has the rank of ambassador, is the U.S. Representative to the United Nations; he also represents the United States in the Security Council. He is assisted by other persons of appropriate title, rank, and status, who are appointed by the President.

The mission has a staff including specialists in political, economic, social, financial, budgetary, legal, military, public affairs, and administrative matters. In 1978 approximately 140 persons were assigned to the mission by the Department of State and other U.S. Departments and Agencies.

The staff assists the U.S. Representative in such activities as (1) planning the tactical pursuit of U.S. policy objectives in UN organs and bodies; (2) carrying out consultations, negotiation, and liaison with other delegations and the UN Secretariat; (3) preparing policy recommendations to the Department of State; (4) reporting to the Department of State on consultations and developments in the United Nations; (5) discharging U.S. responsibilities as "host government"--in particular those arising from the 1947 Headquarters Agreement between the United States and the United Nations (Public Law 357, 80th Cong.); the International Organizations Immunities Act of 1945, as amended; and the Convention on Privileges and Immunities of the United Nations, which deal inter alia with relations of the United Nations, its officials, and delegation members with Federal, State, and local authorities; (6) carrying out public affairs activities; and (7) planning and administering conference operations.

U.S. MISSION TO THE EUROPEAN OFFICE OF THE UNITED NATIONS  
AND OTHER INTERNATIONAL ORGANIZATIONS, GENEVA

The United States maintains a permanent mission in Geneva under the direction of a U.S. Representative, with the rank of Ambassador, who is accredited to the European Office of the United Nations and to the UN specialized agencies and other international organizations with headquarters in Geneva. The mission is responsible for the representation of U.S. interests at the UN European headquarters, in UN subsidiary bodies located in Geneva (such as UNCTAD, UNHCR, ECE, and the UN Disaster Relief Office); in the four

specialized agencies which have their headquarters in Geneva (WHO, WMO, ITU, and WIPO); and in other international bodies such as GATT, CCD, and the intergovernmental Committee for European Migration. The mission also maintains liaison, as appropriate, with resident delegations of other nations in Geneva, as well as with a large number of nongovernmental or voluntary organizations involved in humanitarian affairs, such as the International Committee of the Red Cross.

The mission maintains liaison on a continuing basis with the executive heads and members of secretariats of international bodies, reports on developments relating to them, monitors their programs and budgets, and makes policy and program recommendations to the Department of State.

The mission staff includes economic, political, financial, budgetary, scientific, agricultural, health, public affairs, humanitarian, and administrative advisers. In 1978, approximately 141 Americans, including personnel detailed by U.S. Government Departments other than the Department of State, were assigned to the staff and 45 local employees were hired full-time.

The Ambassador often heads or serves as alternate on delegations to large conferences, and other officers of the mission either represent the United States in smaller international meetings or serve on the U.S. delegations to these. The mission also supported the permanent delegations to the Multilateral Trade Negotiations and SALT.

#### OTHER U.S. MISSIONS

The United States also maintains missions at the headquarters of IAEA in Vienna and UNESCO in Paris and offices of a U.S. Representative at the headquarters of UNIDO in Vienna, FAO in Rome, ICAO in Montreal, and UNEP in Nairobi.

APPENDIX IV: UNITED STATES REPRESENTATIVES

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Permanent Representative and Chief of U.S. Mission to the United Nations: Andrew J. Young

Deputy Permanent Representative to the United Nations: James F. Leonard, Jr.

Deputy Permanent Representative on the Security Council: Donald F. McHenry

Representative on the Economic and Social Council: Melissa F. Wells

Alternate Permanent Representative for Special Political Affairs: Allard K. Lowenstein (through July 7); Richard W. Petree (from Oct. 11)

U.S. Representative to the European Office of the United Nations and Other International Organizations: William J. vanden Heuvel

Deputy U.S. Representative to the European Office of the United Nations and Other International Organizations: Roger A. Sorenson

GENERAL ASSEMBLY8th special session (New York, Apr. 20-21)

Representatives: Andrew J. Young (chairman); James F. Leonard, Jr.; Donald F. McHenry; Melissa F. Wells

9th special session (New York, Apr. 24-May 3)

Representatives: Andrew J. Young (chairman); James F. Leonard, Jr.; Donald F. McHenry

10th special session (New York, May 20-June 30)

Representatives: Andrew J. Young (chairman); 1/ W. Averell Harriman; George McGovern; Charles W. Whalen, Jr.; Paul Newman

Alternates: Adrian S. Fisher; James F. Leonard, Jr.; Charles McC. Mathias, Jr.; Paul Simon; Marjorie Craig Benton

33rd regular session (New York, Sept. 19, 1978-Jan. 29, 1979)

Representatives: Andrew J. Young; 2/ James F. Leonard, Jr.; Abraham A. Ribicoff; James B. Pearson; Set Charles Momjian

Alternates: Donald F. McHenry, Melissa F. Wells, Angelique O. Stahl, John Hechinger, Richard W. Petree

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1/ Vice President Mondale served as chairman of the delegation, ex officio, during his presence at the session. The Secretary of State, Cyrus R. Vance, served as chairman of the delegation, ex officio, during his presence at the session.

2/ Secretary Vance served as chairman of the delegation, ex officio during his presence at the session.

UN Scientific Committee on the Effects of Atomic Radiation

27th session (Vienna, Apr. 17-21)

Representative: Robert David Moseley, Jr.

Alternate: Austin M. Brues

Committee on the Peaceful Uses of Outer Space

21st session (New York, June 26-July 7)

Representative: Gerald B. Helman

Alternates: Stephen Bond, Neil Hosenball

Conference of the Committee on Disarmament

(Geneva, Jan. 31-May 11)

Representative: Adrian S. Fisher

Alternate: Archelaus R. Turrentine

(Geneva, July 11-Aug. 31)

Representative: Adrian S. Fisher

Alternate: Charles C. Flowerree

Trade and Development Board of UNCTAD

9th special session (3rd part) (Geneva, Mar. 6-10)

Representative: Richard N. Cooper

Alternates: William J. vanden Heuvel, Charles F. Meissner

17th session (2nd part) (Geneva, Apr. 4)

Representative: Robert Brungart

18th session (Geneva, Aug. 29-Sept. 15)

Representative: William J. vanden Heuvel

Alternate: Charles F. Neissner

Special Committee on Peacekeeping Operations

Representative: Robert B. Rosenstock

Industrial Development Board of UNIDO

12th session (Vienna, May 16-26)

Representative: John C. Leary

Alternates: William A. Garland; Susan Steiner

Permanent Representative to UNIDO: John C. Leary

UN Commission on International Trade Law

11th session (New York, May 30-June 16)

Representative: E. Allen Fransworth

Alternate: Richard Kearney

Governing Council of UNEP

6th session (Nairobi, May 9-25)

Representative: Donald R. King

Alternates: Wilbert J. LeMelle; Norman Frisbie

Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

(New York, Feb. 27-Mar. 24)

Representative: Robert Rosenstock

Committee on Conferences

(New York, May 8-12)

Representative: William J. Cunningham

Alternate: Kathleen B. Anderson



World Food Council

4th session (Mexico City, June 5-8)

Representative: John French

Alternates: Paul Byrnes, Kenneth Kauffman, Martin Kriesberg

Ad Hoc Committee on the Restructuring of the Economic and Social Sectors of the UN System

7th session (New York, Mar. 27-31)

Representative: Melissa F. Wells

Alternate: William J. Stibravy

Preparatory Committee for the UN Conference on Technical Cooperation among Developing Countries

3rd session (New York, May 15-19)

Representative: H. Bernard Glazer

Alternate: Frank W. Brecher

UN Conference on Technical Cooperation among Developing Countries  
(Buenos Aires, Aug. 30-Sept. 12)

Representative: John W. McDonald, Jr.

Alternate: H. Bernard Glazer

Preparatory Committee for the Special Session of the General Assembly Devoted to Disarmament

4th session (New York, Jan. 24-Feb. 24)

Representative: James F. Leonard, Jr.

Alternates: Richard W. Petree; Lawrence Weiler

5th session (New York, Apr. 4-21)

Representative: Adrian S. Fisher

Alternates: James F. Leonard, Jr.; Lawrence Weiler

Ad Hoc Committee on the Drafting of an International Convention Against the Taking of Hostages

(Geneva, Feb. 6-24)

Representative: Robert Rosenstock

Alternate: Alan Kreczko

Committee of the Whole (COW) Established under General Assembly Resolution 32/174

(New York, Feb. 13-17)

Representative: Robert D. Hormats

Alternates: Charles F. Frank; Melissa F. Wells

(New York, May 3-12)

Representative: Richard N. Cooper

Alternates: Robert D. Hormats; Melissa F. Wells

(New York, Sept. 5-15)

Representative: Richard N. Cooper

Alternates: Robert D. Hormats; Melissa F. Wells

Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations

(New York, Aug. 21-Sept. 15)

Representative: Robert Rosenstock

Alternates: Laurel M. Shea; Theodore S. Wilkinson

SECURITY COUNCIL

Representative: Andrew J. Young

Deputies: James F. Leonard, Jr.; Donald F. McHenry; Richard W. Petree (from Oct. 11)

Alternate: Richard W. Petree; Herbert K. Reis; Betty Jane Jones (from Oct. 11)

TRUSTEESHIP COUNCIL

45th session (New York, May 15-June 2)

Representative: Stoney Cooks

Alternate: John Kriendler

ECONOMIC AND SOCIAL COUNCIL

Organizational session for 1978 (New York, Jan. 10-13)

Representative: Melissa F. Wells

Alternate: Richard A. Poole

First regular session, 1978 (New York, Apr. 11-May 5)

Representatives: Andrew J. Young; Melissa F. Wells

Alternates: Koryne K. Horbal; Edward M. Mezvinsky; Ruth S. Morgenthau; William J. Stibravy

Second regular session, 1978 (Geneva, July 5-Aug. 4 and New York, Oct. 12, 30, and 31; Nov. 8, 15, and 27; and Dec. 19)

Representatives: Andrew J. Young; Melissa F. Wells

Alternates: Richard A. Poole; William J. Stibravy; William J. vanden Heuvel

Commission on Human Rights

34th session (Geneva, Feb. 6-Mar. 10)

Representative: Edward Mezvinsky

Alternates: Warren E. Hewitt; William J. vanden Heuvel

Commission on Narcotic Drugs

5th special session (Geneva, Feb. 13-24)

Representative: Mathea Falco

Alternates: Peter Bensinger; Peter Bourne; Louis N. Cavanaugh, Jr.; Robert DuPont

Population Commission

(Did not meet in 1978)

Commission on Social Development

(Did not meet in 1978)

Statistical Commission

(Did not meet in 1978)

Commission on the Status of Women

27th session (New York, Mar. 20-Apr. 5)

Representative: Koryne Korbai

Alternate: Barbara J. Good

Commission on Transnational Corporations

4th session (Vienna, May 15-26)

Representative: Seymour Rubin

Alternate: Michael P. Boerner

Economic Commission for Africa

(Did not meet in 1978)

Economic Commission for Asia and the Pacific

34th session (Bangkok, Mar. 7-17)

Representative: Andrew J. Young

Alternates: Melissa Wells, Charles S. Whitehouse

Economic Commission for Europe

33rd session (Geneva, Apr. 11-22)

Representative: William J. vanden Heuvel

Alternate: Robert R. Brungart

Economic Commission for Latin America

(Did not meet in 1978)

Economic Commission for Western Asia

5th session, Amman, Jordan, Oct. 2-6)

Observer: Samuel D. Starrett

Executive Board of UNICEF

(New York, May 15-26)

Representative: James P. Grant

Alternates: George I. Lythcott; Herbert G. Wing; Jean Young

Committee on Nongovernmental Organizations

(Geneva, July 6)

Representative: Richard A. Poole

Committee for Program and Coordination

18th session (New York, May 22-June 9 and Aug. 28-Sept. 15)

Representative: William J. Stibravy

Alternate: William J. Cunningham (May 22-June 9); Richard V. Hennes (Aug. 28-Sept. 1); George F. Saddler (Aug. 28-Sept. 15); Doris Austin) Sept. 4-15)

Committee on Food Aid Policies and Programs

5th session (Rome, Apr. 10-21)

Representative: Kathleen Bitterman

Alternates: John A. Baker; Fred Welz

Executive Committee of the High Commissioner's Program (UNHCR)

(Geneva, Oct. 6-17)

Representative: Patricia Derian

Alternate: Frank A. Sieverts

Governing Council of UNDP

25th session (Geneva, June 5-30)

Representative: Peter Bourne

Alternates: Chester E. Norris, Jr. (June 5-16); Pierre L. Sales; William J. Stibravy; John W. McDonald, Jr. (June 17-30)

Committee on Natural Resources

(Did not meet in 1978)

Committee on Science and Technology for Development

4th session (Geneva, Feb. 6-10)

Representative: Rodney W. Nichols

Committee on Review and Appraisal

(Did not meet in 1978)

Ad Hoc Intergovernmental Working Group on the Problem of Corrupt Practices

4th session (New York, Mar. 6-10)

Representative: Mark B. Feldman

5th session (New York, Apr. 3-14)

Representative: Mark B. Feldman

Resumed 5th session (New York, June 26-30)

Representative: Mark B. Feldman

Commission on Human Settlements

1st session (New York, Apr. 3-7)

Representative: Chester E. Norris, Jr. (Apr. 3)

Alternates: Tila Maria de Hancock; William R. Falkner; George Kinter (Apr. 4-7)

SPECIALIZED AGENCIES AND IAEAFood and Agricultural Organization

74th session, FAO Council (Rome, Nov. 27-Dec. 8)

Delegate: John A. Baker

Alternates: Roger C. Brewin; Martin Kriesberg; Ruth Morgenthau

Intergovernmental Maritime Consultative Organization

40th session, IMCO Council (London, May 23-26)

Representative: Walker Diamanti

Alternates: Roderick Y. Edwards; Sidney A. Wallace

41st session, IMCO Council (London, Oct. 23-27)

Representative: Walker Diamanti

Alternates: Roderick Y. Edwards; Sidney A. Wallace

International Bank for Reconstruction and Development

U.S. Governor, Board of Governors: W. Michael Blumenthal

Alternate U.S. Governor: Richard N. Cooper

U.S. Executive Director: Edward R. Fried

Alternate Executive Director: William P. Dixon

International Civil Aviation OrganizationU.S. Representative on ICAO Council and Permanent Representative:  
John E. DownsInternational Development Association

The U.S. Governor, Executive Director, and their Alternates are the same as those of the IBRD.

International Finance Corporation

The U.S. Governor, Executive Director, and their Alternates are the same as those of the IBRD.



International Fund for Agricultural Development

2nd session, Governing Council (Rome, Dec. 13-15)

Representative: John J. Gillian

Alternate: David Bronheim

International Monetary Fund

U.S. Governor, Board of Governors: W. Michael Blumenthal

Alternate U.S. Governor: Arthur F. Burns, G. William Miller (from Mar. 8)

U.S. Executive Director: Sam Y. Cross

Alternate U.S. Executive Director: Thomas B. C. Leddy

International Telecommunication Union

33rd session, Administrative Council (Geneva, May 15-June 2)

Representative: Ruth H. Phillips

Alternate: Sidney Friedland

UN Educational, Scientific, and Cultural Organization

20th General Conference (Paris, Oct. 24-Nov. 28)

Delegates: John E. Reinhardt; Esteban E. Torres; Hale Champion; Sarah G. Power; William Attwood

Alternates: Mathilde Krim; Joseph D. Duffey; Maurice A. Ferre; Arthur K. Solomon; Leila Fraser

Universal Postal Union

1978 session UPU Executive Council (Bern, May 5-11)

Head of Observer Delegation: H. Edgar S. Stock

World Health Organization

31st World Health Assembly (Geneva, May 8-26)

Delegates: Joseph A. Califano, Jr.; Julius B. Richmond, M.D.; John H. Bryant, M.D.

Alternates: Robert F. Andrew; Lee M. Howard, M.D.; William J. vanden Heuvel

World Intellectual Property Organization

9th series of meetings of the governing bodies of WIPO and of the Unions administered by WIPO (Geneva, Sept. 25-Oct. 3)

Representative: Donald Banner

Alternate: Harvey J. Winter

World Meteorological Organization

U.S. Member, Executive Committee: Robert M. White

Alternate: George S. Benton

International Atomic Energy Agency

22nd General Conference (Vienna, Sept. 18-22)

Representative: Dale D. Myers

Alternates: Gerard C. Smith; Roger Kirk

U.S. Representative, Board of Governors and Permanent Representative to IAEA: Gerard C. Smith

Deputy U.S. Representative on Board of Governors and Resident

Representative: Galen L. Stone





